

City of Strongsville

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Council Office Fax: 440-572-1648
www.strongsville.org

May 3, 2018

MEETING NOTICE

City Council

Michael J. Daymut
Ward 1

Annmarie P. Roff
Ward 2

Kelly A. Kosek
Ward 3

Gordon C. Short
Ward 4

Joseph C. DeMio
At-Large

James E. Carbone
At-Large

Matthew A. Schonhut
At-Large

Aimee Pientka, MMC
Clerk of Council

Tiffany Mekeel, CMC
Assistant Clerk of Council

City Council has scheduled the following meetings for **Monday, May 7, 2018**, to be held in the Caucus Room and the Council Chamber at the **Mike Kallinich Sr. City Council Chamber, 18688 Royalton Road:**

Caucus will begin at 7:15 p.m. All committees listed will meet immediately following the previous committee:

7:15 P.M.

Public Service and Conservation Committee will meet to discuss Ordinance Nos. 2018-036, 2018-060 and Resolution No. 2018-061.

Planning, Zoning and Engineering Committee will meet to discuss Ordinance Nos. 2018-050, 2018-062, 2018-063 and Resolution Nos. 2018-052, 2018-064 and 2018-065.

Finance Committee will meet to discuss Ordinance No. 2018-066.

Public Safety and Health Committee will meet to discuss Ordinance No. 2018-067.

Recreation and Community Services Committee will meet to discuss Ordinance Nos. 2018-068, 2018-069, 2018-070 and Resolution No. 2018-071.

Committee of the Whole will meet to discuss Ordinance No. 2018-048 and Resolution No. 2018-072.

A motion will be made to approve the Committee of the Whole meeting minutes of April 10, 2018.

8:00 P.M.

Regular Council Meeting

Any other matters that may properly come before this Council may also be discussed.

BY ORDER OF THE COUNCIL:

Aimee Pientka, MMC
Clerk of Council

STRONGSVILLE CITY COUNCIL REGULAR MEETING

MONDAY, MAY 7, 2018 AT 8:00 P.M.

Mike Kalinich Sr. City Council Chamber
18688 Royalton Road, Strongsville, Ohio

AGENDA

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
 - *Council Meeting – April 16, 2018*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
 - *Recognition of the Partner Impact Award given by "Wellness 360" for the on-going partnership between Southwest General Hospital and the City of Strongsville.*
7. PUBLIC HEARING:
 - Ordinance No. 2018-036 by Mayor Perciak and Ms. Roff. AN ORDINANCE AMENDING SECTIONS 1023.07 OF TITLE TWO OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE; AND SECTION 1228.01(h) OF TITLE FOUR OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING TREE FEES. *First reading and referred to Planning Commission 03-19-18. Favorable recommendation by Planning Commission 03-22-18. Second reading 04-02-18. Public hearing 05-07-18.*
8. REPORTS OF COUNCIL COMMITTEE:
 - SCHOOL BOARD – Mr. Carbone:
 - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Short:
 - BUILDING AND UTILITIES – Mr. Daymut:
 - COMMUNICATIONS AND TECHNOLOGY – Ms. Kosek:
 - ECONOMIC DEVELOPMENT– Mr. Daymut:
 - FINANCE – Mr. Carbone:
 - PLANNING, ZONING AND ENGINEERING – Mr. Schonhut:
 - PUBLIC SAFETY AND HEALTH – Mr. Short:
 - PUBLIC SERVICE AND CONSERVATION – Ms. Roff:
 - RECREATION AND COMMUNITY SERVICES – Ms. Roff:

- COMMITTEE-OF-THE-WHOLE – Mr. DeMio:

9. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:

- MAYOR PERCIAK:
- FINANCE DEPARTMENT:
- LAW DEPARTMENT:

10. AUDIENCE PARTICIPATION:

11. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2018-036 by Mayor Perciak and Ms. Roff. AN ORDINANCE AMENDING SECTIONS 1023.07 OF TITLE TWO OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE; AND SECTION 1228.01(h) OF TITLE FOUR OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING TREE FEES. *First reading and referred to Planning Commission 03-19-18. Favorable recommendation by Planning Commission 03-22-18. Second reading 04-02-18. Public hearing 05-07-18.*
- Ordinance No. 2018-048 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 1062.05 OF TITLE SIX OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING INTOXICATING BEVERAGES IN OR ON MUNICIPAL PROPERTY, AND DECLARING AN EMERGENCY. *First reading 04-02-18. Second reading 04-16-18.*
- Ordinance No. 2018-050 by Mr. Schonhut. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 10750 PROSPECT ROAD (PPN 391-16-017) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO SR-1 (SENIOR RESIDENCE) CLASSIFICATION, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 04-16-18. Favorable recommendation by the Planning Commission 04-26-18.*
- Resolution No. 2018-052 by Mayor Perciak and Mr. Schonhut. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR ENGINEERING DESIGN AND CONSULTING SERVICES FOR THE CR 188 (HOWE ROAD) AND CR 205 (SHURMER ROAD) ROUNDABOUT PROJECT.

- Ordinance No. 2018-060 by Mayor Perciak and Ms. Roff. AN ORDINANCE AUTHORIZING AND APPROVING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT (018-19) FOR THE PURCHASE OF ROAD SALT FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE DURING THE 2018-2019 SEASON; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.
- Resolution No. 2018-061 by Mayor Perciak and Ms. Roff. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2018-PHASE II, TO BE USED BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE.
- Ordinance No. 2018-062 by Mr. Schonhut. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND WEBSTER ROAD, IN THE CITY OF STRONGSVILLE, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION (PARTS OF PPNs 398-28-007; 398-28-009 & 398-28-010); AND FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 398-28-007), AND DECLARING AN EMERGENCY.
- Ordinance No. 2018-063 by Mr. Schonhut. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND WEBSTER ROAD, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION (ALL OF PPN 398-28-002; AND PARTS OF PPNs 398-28-007; 398-28-009 & 398-28-010); AND FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 398-28-007), AND DECLARING AN EMERGENCY.
- Resolution No. 2018-064 by Mayor Perciak and Mr. Schonhut. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE 2018 DRAKE ROAD STORM SEWER PROJECT IN THE CITY OF STRONGSVILLE.
- Resolution No. 2018-065 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE 2018 PAVEMENT RECONSTRUCTION PROGRAM-PHASE II, IN THE CITY OF STRONGSVILLE.
- Ordinance No. 2018-066 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2018 AND REPEALING ORDINANCE NUMBER 2018-042.

- Ordinance No. 2018-067 by Mayor Perciak and Mr. Short. AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF NINE (9) 2018 FORD UTILITY INTERCEPTOR VEHICLES AND ONE (1) 2018 FORD UTILITY INTERCEPTOR K9 VEHICLE, FOR USE BY THE POLICE DEPARTMENT OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.
- Ordinance No. 2018-068 by Mayor Perciak and Ms. Roff. AN ORDINANCE AUTHORIZING THE FILING OF AN APPLICATION THROUGH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS PROGRAM FOR FUNDING FOR A PLAYGROUND AT SURRERER PARK, IN ORDER TO ASSIST THE CITY IN DEVELOPING AN OUTDOOR PUBLIC RECREATION AREA; AND DECLARING AN EMERGENCY.
- Ordinance No. 2018-069 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF RECREATION & SENIOR SERVICES TO SUBMIT A PROPOSAL TO RECEIVE FUNDING FROM THE CUYAHOGA COUNTY DEPARTMENT OF SENIOR & ADULT SERVICES THROUGH ITS COMMUNITY SOCIAL SERVICES PROGRAM, IN CONNECTION WITH VARIOUS CITY SENIOR PROGRAMS, FUNCTIONS, AND TRANSPORTATION FOR 2019; AUTHORIZING EXECUTION OF ANY REQUIRED AGREEMENT AND DOCUMENTS RELATED THERETO; AND DECLARING AN EMERGENCY.
- Ordinance No. 2018-070 by Mayor Perciak and Ms. Roff. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NON-EXCLUSIVE RENTAL/OCCUPANCY AGREEMENT WITH THE GREAT LAKES BASEBALL LEAGUE ON A LIMITED BASIS FOR 2018, FOR THE USE OF VARIOUS BASEBALL FIELDS IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Resolution No. 2018-071 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING ANOTHER DONATION OF \$2,000.00 TO THE CITY OF STRONGSVILLE TO BE USED FOR THE WOODSHOP LOCATED AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER.
- Resolution No. 2018-072 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING A DONATION OF \$1,000.00 FROM CARGILL SALT TO THE CITY OF STRONGSVILLE, TO BE USED FOR THE STRONGSVILLE COMMUNITY GARDEN.

12. COMMUNICATIONS, PETITIONS AND CLAIMS:

13. MISCELLANEOUS BUSINESS:

14. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 036

By: Mayor Perciak and Ms. Roff

AN ORDINANCE AMENDING SECTIONS 1023.07 OF TITLE TWO OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE; AND SECTION 1228.01(h) OF TITLE FOUR OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING TREE FEES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 1023.07 of Title Two of Part Ten-Streets, Utilities and Public Services Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

1023.07 TREE FEES.

(a) Upon the issuance of a building permit for the construction or remodeling of a building or structure which replaces a ground surface area in excess of 400 sq. ft., a fee shall be charged as follows:

- (1) ~~\$250.00~~**\$275.00** for up to the first 2,000 sq. ft. of ground surface area displaced by such building or structure.
- (2) ~~\$500.00~~**\$550.00** for 2,000.01 to 4,000 sq. ft. of ground surface area displaced by such building or structure.
- (3) An additional amount of ~~\$250.00~~**\$275.00** for each additional 2,000 sq. ft. in excess of 4,000 sq. ft. or portion thereof of ground surface area displaced by such building or structure.

(b) This fee reflects the current average costs to purchase, transport, and plant a tree within the City. The City Coordinator of Natural Resources may review this cost on an annual basis and make recommendations to City Council which reflect the then current costs.

~~(Ord. 2013-223. Passed 1-6-14.)~~

Section 2. That Section 1228.01(h) of Title Four of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

1228.01 SUBDIVISION IMPROVEMENTS REQUIRED BEFORE FINAL APPROVAL.

* * *

- (h) The developer or entity requesting any type of subdivision shall pay to the City a fee of ~~two hundred fifty dollars~~**Two Hundred Seventy-Five Dollars** (~~\$250.00~~**\$275.00**) per tree based upon one tree being required for each forty-five linear feet of lot frontage on

a public street. The fees shall be placed in the Tree Fund Account and the City shall utilize the funds to purchase and install trees in subdivisions pursuant to the provisions of Chapter 1023. The City Coordinator of Natural Resources shall make recommendations to the Planning Commission, and the Planning Commission shall decide on the type and number of trees to be planted for each new subdivision, at the time that the subdivision receives final approval by the Planning Commission for record purposes, as set out in the City's Planning and Zoning Code. The fee shall be paid by the developer or entity requesting the subdivision prior to final approval of any plat for record purposes.

* * *

~~(Ord. 2013-226. Passed 1-6-14.)~~

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First reading: March 19, 2018
 Second reading: April 2, 2018
 Third reading: _____
 Public Hearing: May 7, 2018

Referred to Planning Commission

March 20, 2018
 Favorable recommendation by PC
 Approved: March 22, 2018

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-036 Amended: _____
 1st Rdg. 03-19-18 Ref: PC/PSTC
 2nd Rdg. 04-02-18 Ref: PSTC
 3rd Rdg. _____ Ref: _____

Pub Hrg. 05-07-18 Ref: _____
 Adopted: _____ Repealed: _____

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Tiffany Mekeel, Assistant Clerk of Council
DATE: March 20, 2018
SUBJECT: Referral from Council: Ordinance No. 2018-036

Please be advised that at its regular meeting of March 19, 2018, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2018-036 by Mayor Perciak and Ms. Roff. AN ORDINANCE AMENDING SECTIONS 1023.07 OF TITLE TWO OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE; AND SECTION 1228.01(h) OF TITLE FOUR OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING TREE FEES. *First reading and referred to Planning Commission 03-19-18.*

A copy of this Ordinance is attached for Planning Commission review.

TAM
Attachment

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: March 23, 2018

Please be advised that at its meeting of March 22, 2018, the Strongsville Planning Commission gave Favorable Recommendation to the following;

AT & T/ Peter Janis, Agent

Site Plan approval of a new fiber distribution cabinet and new concrete pad located in a private easement for property located at 17741 Howe Road, PPN 397-33-023 zoned Public Facility.

ORDINANCE NO. 2018-036

An Ordinance Amending Sections 1023.07 of Title Two of Part Ten-Streets, Utilities and Public Services Code; and Section 1228.01(h) of Title Four of Part Twelve-Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, Concerning Tree Fees.

Legal Advertisement

CITY OF STRONGSVILLE, OHIO

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be conducted by the Council of the City of Strongsville on **Monday, May 7, 2018 at 8:00 p.m., current time**, in the Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road, Strongsville, Ohio, upon the following Ordinance, which has been introduced in and is currently pending before the Council, entitled:

- Ordinance No. 2018-036 by Mayor Perciak and Ms. Roff. AN ORDINANCE AMENDING SECTIONS 1023.07 OF TITLE TWO OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE; AND SECTION 1228.01(h) OF TITLE FOUR OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING TREE FEES. *First reading and referred to Planning Commission 03/19/18. Favorable recommendation by Planning Commission 03/22/18. Second reading 04/02/18. Public hearing 05/07/18.*

This ordinance is on file in the office of the Clerk of Council at the Strongsville Service Center, 16099 Foltz Parkway, Strongsville, Ohio, for public inspection.

Any person desiring to be heard on the subject of the proposed amendments, or who may wish to object thereto, may appear at the time and place set forth above.

BY ORDER OF THE COUNCIL OF THE CITY OF STRONGSVILLE, OHIO:

Aimee Pientka, MMC
Clerk of Council

Editor's Note: To be published in The Post Newspaper
April 6, 2018 and April 14, 2018.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 048

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTION 1062.05 OF TITLE SIX OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING INTOXICATING BEVERAGES IN OR ON MUNICIPAL PROPERTY, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 1062.05 of Title Six of Part Ten-Streets, Utilities and Public Services Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

* * *

1062.05 INTOXICATING BEVERAGES.

(a) No alcoholic beverages shall be sold, dispensed, given away, served or consumed in or upon any Municipal building, facility or grounds surrounding the same, except that persons or entities who are using all or a portion of the Strongsville Recreation and Senior Complex **or the Strongsville Public Commons (PPN 396-10-009)** for a special event and who hold a valid liquor permit issued by the Department of Liquor Control of the State of Ohio may dispense, give away and/or serve alcoholic beverages on the premises of the Strongsville Recreation and Senior Complex **or the Strongsville Public Commons (PPN 396-10-009)** to those attending such special event for their consumption subject to the terms and conditions of the liquor permit.

(b) Except as provided in subsection (a) above, the sale, dispensation, giving away, serving or use of any such beverages shall be grounds for immediate revocation of any person's or entity's license or permit for the use of the premises (unless it appears that such beverages have been sold, dispensed, given away, served or consumed without his/its knowledge and consent) and for the refusal of applications for use and rental by such person or entity.

~~(Ord. 2002-52. Passed 5-6-02.)~~

* * *

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 – 048
Page 2

Section 3. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to update the City's Codified Ordinances concerning intoxicating beverages on municipal property. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council
 Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-048 Amended: _____
 1st Rdg. 04-02-18 Ref: COW
 2nd Rdg. 04-16-18 Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 048

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTION 1062.05 OF TITLE SIX OF PART TEN-STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING INTOXICATING BEVERAGES IN OR ON MUNICIPAL PROPERTY, AND DECLARING AN EMERGENCY, **AS AMENDED.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 1062.05 of Title Six of Part Ten-Streets, Utilities and Public Services Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

* * *

1062.05 INTOXICATING BEVERAGES.

(a) **As used in this Section:**

- (1) **“Alcoholic Beverages” shall include beer, Intoxicating Liquor and Spirituous Liquor.**
- (1) **“Intoxicating Liquor” includes all liquids and compounds, other than beer, containing one-half of one percent or more of alcohol by volume which are fit to use for beverage purposes, from whatever source and by whatever process produced, by whatever name called, and whether they are medicated, proprietary, or patented. “Intoxicating liquor” includes cider and alcohol, and all solids and confections which contain one-half of one percent or more of alcohol by volume.**
- (2) **“Spirituous Liquor” includes all intoxicating liquors containing more than twenty-one percent of alcohol by volume.**

(ab) No ~~a~~Alcoholic ~~b~~Beverages shall be sold, dispensed, given away, served or consumed in or upon any Municipal building, facility or grounds surrounding the same, except that persons or entities who are using all or a portion of the Strongsville Recreation and Senior Complex **or the Strongsville Public Commons (PPN 396-10-009)** for a special event and who hold a valid liquor permit **for that use** issued by the Department of Liquor Control of the State of Ohio may dispense, give away and/or serve ~~a~~Alcoholic ~~b~~Beverages on the premises of the Strongsville Recreation and Senior Complex **or the Strongsville Public Commons (PPN 396-10-009)** to those attending such special event for their consumption subject to the terms and conditions of the liquor permit.

(c) The prohibition of the sale, dispensing, giving away, serving or consumption of Alcoholic Beverages in or upon municipal grounds shall not apply to the Strongsville Public Commons (PPN 396-10-009) for any association or corporation, or a recognized subordinate lodge, chapter or other local unit of an association or corporation, that holds a special event on the Strongsville Public Commons (PPN 396-10-009) that takes place from June 15th to Labor Day of each year. The sale, dispensing, giving away, serving or consumption of Alcoholic Beverages on the Strongsville Public Commons (PPN 396-10-009), as authorized herein, is limited to the use, sale or consumption of beer or Intoxicating Liquor only, within a clearly defined and sufficiently restricted area, which may include a tent, subject to compliance with all applicable state laws and the licensing authority and Rules and Regulations of the Director of Public Safety. The use, sale or consumption of Spirituous Liquor shall not be permitted. Any association or corporation, or a recognized subordinate lodge, chapter or other local unit of an association or corporation, that seeks to sell, dispense, give away, serve or consume Alcoholic Beverages on the Strongsville Public Commons (PPN 396-10-009) as authorized herein, shall obtain a permit from the Director of Public Safety, subject to the following:

- (1) The applicant timely files a permit application, as established by the Director of Public Safety.
- (2) The Director of Public Safety may issue the permit only if the association, corporation, or recognized subordinate lodge, chapter, or other corporation meets all of the following:
 - (i) It is organized not for profit;
 - (ii) It is operated for a charitable, cultural, educational, or fraternal purpose.
- (3) The Director of Public Safety is authorized and shall establish rules and regulations as he/she deems necessary to preserve the public health, safety and welfare. This includes, but is not limited to, restrictions on the hours of operation, restrictions on age of admission and security requirements.
- (4) The fee for such permit shall be One Hundred Dollars (\$100.00).
- (5) The applicant holds a valid liquor permit from the State of Ohio for this event.
- (6) Anyone receiving a permit pursuant to this Section shall, in addition to the rules and regulations of the Director of Public Safety, comply with all rules, regulations, statutes and ordinances of the State of Ohio and the City of Strongsville as they pertain to the sale, dispensing, giving away, serving or consuming of alcoholic beverages within the State of Ohio and City of Strongsville.

(bd) Except as provided in subsections (ab) and (c) above, the sale, dispensation, giving away, serving or use of any such **Alcoholic Beverages** shall be grounds for immediate revocation of any person's or entity's license or permit for the use of the premises (unless it appears that such beverages have been sold, dispensed, given away, served or consumed without his/its knowledge and consent) and for the refusal of applications for use and rental by such person or entity.

~~(Ord. 2002-52. Passed 5-6-02.)~~

* * *

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to update the City's Codified Ordinances concerning Alcoholic Beverages on municipal property. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-048 Amended: _____
 1st Rdg. 04-02-18 Ref: LOW
 2nd Rdg. 04-16-18 Ref: LOW
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 050

By: Mr. Schonhut

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 10750 PROSPECT ROAD (PPN 391-16-017) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO SR-1 (SENIOR RESIDENCE) CLASSIFICATION, AND DECLARING AN EMERGENCY.

WHEREAS, the owner of property located at 10750 Prospect Road, being Permanent Parcel No. 391-16-017, (the "property") has submitted a petition to the City requesting rezoning of the property from R1-75 (One Family 75) classification to Senior Residence (SR-1) classification; and

WHEREAS, Article VIII, Section 6 of the City Charter provides that neither the Council, the Mayor, any Board, including Board of Appeals, or Commission appointed pursuant to this Charter, or any ordinance or resolution of this Municipality, nor any other agent, employee, person or organization acting for or on behalf of this Municipality, by whatever authority or purported authority, shall by ordinance, resolution, motion, proclamation, statement, legislative or administrative action, or variance effect a change in the zoning classification or district of any property or area in the City of Strongsville from R1-75 (One Family 75) or R1-100 (One Family 100) commonly known as single family residential, or by whatever other name called, to any other zoning classification or district unless the change or grant, after adoption in accordance with applicable administrative and/or legislative procedures, is approved at a regularly scheduled election by a majority vote of the electors voting thereon in the City of Strongsville, and in each ward in which the change is applicable to property in the ward.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification from R1-75 (One Family 75) classification to Senior Residence (SR-1) classification, of certain property described in Exhibit A, and depicted in Exhibit B, attached hereto and incorporated herein as if fully rewritten; provided that such amendment is approved at a regularly scheduled election by a majority vote of the electors voting thereon in the City of Strongsville and in each ward in which the change is applicable to the property in the ward.

Section 2. That, after approval by the electors as set forth in Section 1 above, the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the zoning change in classification as provided in this Ordinance.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 – 050
Page 2

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to process rezoning of such property in order to meet the deadline for submittal of this issue to the ballot in accordance with law, to afford the applicant an opportunity to submit plans and commence construction, to enhance economic development within the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First Reading: April 16, 2018
 Second Reading: _____
 Third Reading: _____
 Public Hearing: _____

Referred to Planning Commission

April 17, 2018
 Approved: Favorable recommendation by Planning Commission 4-26-18

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-050 Amended: _____
 1st Rdg. 04-16-18 Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

Legal Description

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio and known as being Sublot No. 18 in Hickory Branch Subdivision of part of Original Strongsville Township Lot No. 88 as shown by the recorded plat in Volume 362 of Maps, Pages 85 through 87 of Cuyahoga County Records and being 89.97 feet front on the westerly side of Prospect Road (80 feet wide) and extending back 463.73 on the northerly line, 464.03 on the southerly line, both as measured from the centerline of the road, and having a rear line of 89.98 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel No.: 391-16-017

EXHIBIT A

PETITION FOR ZONING CHANGE

Ordinance Number: 2018-050

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class R1-75 use to a class SR use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: The change would enable development of the parcel consistent with other parcels in the immediate area that would not otherwise be possible without the zoning change.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: The requested change is to Senior Residential. The parcel immediately adjacent to this property is zoned SR and is an existing senior residence facility.

Please list other supporting documents (if any) which accompany this petition:

1. Legal description.
2. Survey.
3. _____

THE PROPOSED USE OF THE PROPERTY IS: Consolidation with adjacent Kemper House property for accessory uses (parking, walking path, landscaping, small addition.)

Name, address and **telephone number** of applicant or applicant's agent:

Name: Kemper Martin Enterprises, Inc. and KEM Management, Inc., Mary Cavanaugh, Esq.

Address: 10307 Detroit Ave. #101, Clew., OH 44102

Telephone Number: 216.472.4200

Betty J Kemper, President
Signature of Owner(s) Land. Auth. Rep.

State of Ohio)
County of Cuyahoga)

Subscribed in my presence this 28th day of March, 2018.

MARY A. CAVALIOTT
ATTORNEY AT LAW
MY COMMISSION HAS NO EXPIRATION DATE,
O.R.C. 147.03

Mary Cavanaugh
Notary Public
My commission expires: NA

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

PROPERTY DESCRIPTION FORM

Ordinance Number: 2018-050

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 10750 Prospect Road, Strongsville, OH

Permanent Parcel No.: 391.16.017

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) The property is west of Prospect Road and north of Albion Road.

Number and type of buildings which now occupy property (if any): none, vacant land

Acreage: 0.896 acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): _____

Said deed restrictions (will) (have) expire(d) on: _____

Said property is presently under lease or otherwise encumbered as follows: NA

Owner(s)	Percent of Ownership:
1. <u>Kemper Martin Enterprises, Inc.</u>	<u>50</u> %
2. <u>KEM Management, Inc.</u>	<u>50</u> %
3. _____	_____ %

Bothy J Kemper, Pres.
Signature of Owner(s) & Auth. Rep.

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 28th day of March, 2018.

Mary A. Cavanaugh
Notary Public

My commission expires NA

MARY A. CAVANAUGH
ATTORNEY AT LAW
MY COMMISSION HAS NO EXPIRATION DATE,
O.R.C. 147.03

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Tiffany Mekeel, Assistant Clerk of Council

DATE: April 9, 2018

SUBJECT: Rezoning Application
Kemper Martin Enterprises, Inc. and KEM Management, Inc.; Owners
PPN: 391-16-017
Address: 10750 Prospect Road
From Residential (R1-75) to SR (Senior Residential)

Please check the legal description on the attached amended application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

TAM
Attachments

cc: Thomas P. Perciak, Mayor
Neal Jamison, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Opera, Planning Commission Secretary

City of Strongsville

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Oprea, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: April 10, 2018

Re: Rezoning Application
Kemper Martin Enterprises, Inc. and KEM Management, Inc.; Owners
PPN 391-16-017
10750 Prospect Road
From R1-75 to SR

Neal,

The legal description included in the Clerk of Council's April 9, 2018 memo regarding the above referenced application accurately depicts the parcel to be rezoned.

Please feel free to contact me with any questions.

Thank you.



The Kemper Company

April 9, 2018

City of Strongsville
16099 Foltz Parkway
Strongsville, OH 44149-3110

**Re: Petition for Zoning Change for Parcel No. 391-16-017, 10750 Prospect Road,
Strongsville, Ohio**

To The Council of the City of Strongsville:

Kemper House Strongsville GP is the owner and operator of the Kemper House Strongsville residential care facility, located at 10890 Prospect Road, which has provided residential care for Alzheimer's and dementia in Strongsville since 1999. The Kemper House Strongsville facility is adjacent to an undeveloped parcel located at 10750 Prospect Road, Permanent Parcel No. 391-16-017. That parcel recently became available for sale, and the partners in Kemper House Strongsville, Kemper - Martin Enterprises, Inc. and KEM Management, Inc., completed a purchase of the parcel effective March 15, 2018.

The Kemper House Strongsville partners acquired the parcel for the potential purpose of adding a green space/garden area, additional parking spaces, a landscaped walking path for our residents, and potentially a small addition or accessory building for additional office space. The parcel is currently zoned R1-75 (one family residential). In order to have the parcel eventually consolidated with the existing Kemper House Strongsville parcel, it is necessary to seek rezoning of the parcel to SR-1 zoning for senior residential development. Therefore, we are submitting the attached Petition for Zoning Change and requesting Council's support in the process of proceeding with a zoning change of the parcel.

Enclosed please find:

- Fourteen copies of the Petition for Zoning Change
- Fourteen copies of the Property Description Form
- Fourteen copies of a legal description of the property
- Fourteen copies of an ALTA survey of the property prepared by George Hofmann, a registered surveyor
- Fourteen copies of evidence of ownership of the property, in the form of a General Warranty Deed evidencing title to the property in Kemper - Martin Enterprises, Inc. and KEM Management, Inc.



-A certified list of property owners of record, with their mailing addresses, prepared by Chicago Title Company

-A check in the amount of \$100 for the initial filing fee

Thank you for your consideration of this matter. If you have any questions or need anything further, please contact me.

Very truly yours,

A handwritten signature in blue ink, reading "Mary A. Cavanaugh".

Mary A. Cavanaugh, Esq.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Tiffany Mekeel, Assistant Clerk of Council

DATE: April 17, 2018

SUBJECT: Referral from Council: Ordinance No. 2018-049 & 2018-050

Please be advised that at its regular meeting of April 16, 2018, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2018-049 by Mr. Schonhut. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 21219 LUNN ROAD (PPN 393-14-022) IN THE CITY OF STRONGSVILLE FROM GI (GENERAL INDUSTRIAL) CLASSIFICATION TO R1-75 (ONE FAMILY 75) CLASSIFICATION, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 04-16-18.*
- Ordinance No. 2018-050 by Mr. Schonhut. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 10750 PROSPECT ROAD (PPN 391-16-017) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO SR-1 (SENIOR RESIDENCE) CLASSIFICATION, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 04-16-18.*

A copy of this Ordinance is attached for Planning Commission review.

TAM
Attachment

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: April 27, 2018

Please be advised that at its meeting of April 26, 2018, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE 2018-050:

An Ordinance Amending the Zoning Map of the city of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Real Estate Located at 10750 Prospect Road (PPN 391-16-017) in the City of Strongsville from R1-75 (One Family 75) Classification to SR-1 (Senior Residence) Classification.

At that same meeting the Planning Commission gave Unfavorable Recommendation to the following;

ORDINANCE 2018-049:

An Ordinance Amending the Zoning Map of the City of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Real Estate Located at 21219 Lunn Road (PPN 393-14-022) in the City of Strongsville From GI (General Industrial) Classification to R1-75 (One Family 75) Classification.

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2018 - 052

By: Mayor Perciak and Mr. Schonhut

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR ENGINEERING DESIGN AND CONSULTING SERVICES FOR THE CR 188 (HOWE ROAD) AND CR 205 (SHURMER ROAD) ROUNDABOUT PROJECT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized to advertise a request for qualifications and proposals for engineering design and consulting services for the CR 188 (Howe Road) and CR 205 (Shurmer Road) Roundabout project, in accordance with the documents on file in the office of the City Engineer, which are, in all respects, hereby approved.

Section 2. That the funds for the purposes of this Resolution have been appropriated and shall be paid from the General Capital Improvement Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
 ORD. No. 2018-052 Amended: _____
 1st Rdg. 04-16-18 Ref: P&E
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 060

By: Mayor Perciak and Ms. Roff

AN ORDINANCE AUTHORIZING AND APPROVING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT (018-19) FOR THE PURCHASE OF ROAD SALT FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE DURING THE 2018-2019 SEASON; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville, Cuyahoga County, (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's ("ODOT") annual winter road salt bid (018-19) in accordance with Ohio Revised Code 5513.01(B), and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract; and

WHEREAS, the Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT, it shall be bound by all such terms and conditions included in the contract; and

WHEREAS, the Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

WHEREAS, the Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract, and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and

WHEREAS, the Political Subdivision hereby requests through this participation agreement a total of **Eleven Thousand (11,000)** tons of Sodium Chloride (Road Salt), of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

WHEREAS, the Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of September 1, 2018 through April 30, 2019; and

WHEREAS, the Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and

WHEREAS, the Political Subdivision acknowledges that should it wish to rescind this participation agreement, it will do so by written, emailed request by no later than Thursday, June 1, 2018. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement, as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement; and

WHEREAS, this Council wishes to take advantage of this opportunity in the purchase of road salt during the 2018-2019 winter season, through the State of Ohio Department of Transportation, Winter Contract No. 018-19.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Council approves and authorizes the Mayor's request for authority in the name of the City of Strongsville to participate in Ohio Department of Transportation contracts for the purchase of road salt at a rate per ton to be determined through the ODOT bidding process for use by the Service Department of the City, in a total amount estimated at 11,000 tons for the winter season and contract, as outlined in the participation agreement herein, which contract(s) the Department will enter into pursuant to Revised Code Section 5513.01(B).

Section 2. That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of the Ohio Department of Transportation for such purchases, and to directly pay the vendor under such contract of the Ohio Department of Transportation in which the City participates for the items it receives pursuant to the contract.

Section 3. That the Mayor and Director of Finance be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the Ohio Department of Transportation winter salt contract.

Section 4. That the funds for the purposes of said contract have been appropriated for 2018 and shall be paid from the Street Construction, Maintenance & Repair Fund; and the State Highway Maintenance Fund.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to participate in such program and purchase such road salt materials for the next winter season in order to provide continuity of services to residents of the City and in the operation of the Department of Public

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 - 060
Page 3

Service, to ensure safe passage on City streets, to comply with Ohio Department of Transportation deadlines, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-060 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____



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[DIVISIONS](#)
[ODOT A-Z](#)
[EMPLOYMENT](#)
[SERVICES](#)
[CONTACTS](#)

ODOT Home Divisions Construction Management/Contract Sales Contracts Winter Fill Contract - Sodium Chloride (Rock Salt)

DEADLINE TO SUBMIT WINTER SALT RESOLUTION/ORDINANCE AND ELECTRONIC PARTICIPATION FORM: FRIDAY, MAY 18th

You must get the below resolution/ordinance document approved, signed, and submitted along with the electronic form at the bottom of this page to be included in the Department's road salt contract. All resolutions/ordinances must include the exact language included in the document below and must be physically signed (you cannot submit a word doc. copy of your resolution/ordinance). **You cannot use previously submitted or approved resolutions/ordinances. No exceptions.**

Link to Required Resolution/Ordinance Language:

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/Mandatory%20Resolution%20for%20018-19%20Winter%20Road%20Salt%20Contract.doc>

Note: Your Resolution/Ordinance document must include all of the language in the above document and be physically signed by your governing board (e.g. city council, trustees, county commissioners, etc.). The department will not accept electronic submissions for salt that fail to include a resolution/ordinance with the exact language that is included in the document above.

By submitting the electronic participation form below AND attaching a completed and signed Resolution/Ordinance (link above) for the ODOT Winter Salt Contract (018-18), you will be included in the Department's bidding opportunity for road salt and, upon the Director of ODOT's award of the contract, bound to purchase at least 90% (and you can purchase up to 110%) of the salt quantities requested. The Winter Salt Contract will be valid from October 1, 2017 through April 30, 2018.

HOW TO VERIFY THAT YOUR FORM AND RESOLUTION WERE SUCCESSFULLY SUBMITTED

It is each Political Subdivision's responsibility to verify that its information has been received and that all information entered is correct. We have provided a link below that each Political Subdivision must use to verify its information was submitted properly and that all submitted information (e.g. tonnage, stockpile location, county location, etc.) is correct. See section below for how to make changes to an already submitted form.

Link to Verify Your Electronic Form and Resolution/Ordinance Were Received by the Department:

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/salt-winter.doc>

Note: Please check the above document 1-2 business days after submission of your electronic form to verify it has been received and all information is correct.

HOW TO MAKE CHANGES TO AN ALREADY SUBMITTED PARTICIPATION FORM

If you need to make any changes to your information after it has already been submitted, you must do so by no later than **5:00 PM on Friday, May 18th, 2018**. To make changes to an already submitted form you must re-submit the ENTIRE FORM WITH ALL INFORMATION FILLED OUT (including attached resolution/ordinance) and it will automatically overwrite the information you had previously submitted. Please check back 1-2 business days after submission, using the link provided above, to ensure changes have been successfully made.

Winter Fill Contract

Thank you for your submission.

County: Cuyahoga

Political Subdivision: City of Strongsville

Authorized Person: Joseph Walker

Street: 16099 Foltz Parkway

City: Strongsville

State: Ohio

Zip: 44149

Contact for Ordering: Elaine Barnhart

Email: Elaine.barnhart@strongsville.ohio.gov

Phone: 440-580-3170

1st Stockpile Address - Include Zip: 16099 Foltz Parkway, Strongsville Ohio 44149

1st Stockpile Tons Required: 11,000

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2018 - 061

By: Mayor Perciak and Ms. Roff

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2018-PHASE II, TO BE USED BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized to advertise for bids for the purchase of General Pavement Services for 2018-Phase II, for use by the Service Department of the City of Strongsville, in accordance with specifications on file in the office of the Director of Public Service, which are in all respects hereby approved.

Section 2. That the funds for the purposes of this Resolution have been appropriated and shall be paid from the General Capital Improvement Fund, and from the sale of notes that may be issued by the City in connection with financing this Project.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council
Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2018-061 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 062

By: Mr. Schonhut

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND WEBSTER ROAD, IN THE CITY OF STRONGSVILLE, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION (PARTS OF PPNs 398-28-007; 398-28-009 & 398-28-010); AND FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 398-28-007), AND DECLARING AN EMERGENCY.

WHEREAS, various owners of certain properties located at Royalton Road and Webster Road, in the City of Strongsville, have submitted, through their authorized agent, a petition requesting rezoning of portions of such property from R1-75 (One Family 75) classification to PF (Public Facilities) classification (parts of PPNs 398-28-007; 398-28-009 & 398-28-010); and

WHEREAS, the same owner of one of the properties located at Royalton Road and Webster Road, is further requesting rezoning of property from R1-75 (One Family 75) classification to MS (Motorist Service) classification (part of PPN 398-28-007); and

WHEREAS, Article VIII, Section 6 of the City Charter provides that neither the Council, the Mayor, any Board, including Board of Appeals, or Commission appointed pursuant to this Charter, or any ordinance or resolution of this Municipality, nor any other agent, employee, person or organization acting for or on behalf of this Municipality, by whatever authority or purported authority, shall by ordinance, resolution, motion, proclamation, statement, legislative or administrative action, or variance effect a change in the zoning classification or district of any property or area in the City of Strongsville from R1-75 (One Family 75) or R1-100 (One Family 100) commonly known as single family residential, or by whatever other name called, to any other zoning classification or district unless the change or grant, after adoption in accordance with applicable administrative and/or legislative procedures, is approved at a regularly scheduled election by a majority vote of the electors voting thereon, in the City of Strongsville and in each ward in which the change is applicable to property in the ward.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of portions of Permanent Parcel Nos. 398-28-007, 398-28-009 and 398-28-010, being those certain properties described in Exhibit "A" and depicted in Exhibit "B", from R1-75 (One Family 75) classification to PF (Public Facilities) classification; and which are attached hereto and incorporated herein as if fully rewritten; and further a part of Permanent Parcel No. 398-28-007, being that certain property described in Exhibit "C" and depicted in Exhibit "B", also attached hereto and incorporated herein as if fully rewritten, from R1-75 (One Family 75) classification to MS (Motorist Service) classification, provided that such amendments are approved at a regularly scheduled election by a majority vote of the electors voting thereon in

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 - 062
Page 2

the City of Strongsville and in each ward in which the changes are applicable to the property in the ward.

Section 2. That, if approved by the electors as set forth in Section 1 above, the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the zoning changes in classification as provided in this Ordinance.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to rezone such property in order to meet the deadline for submittal of this issue to the ballot in accordance with law, to afford the applicant an opportunity to submit plans and commence construction, and to enhance economic development within the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First Reading: _____

Referred to Planning Commission

Second Reading: _____

Third Reading: _____

Approved: _____

Public Hearing: _____

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-062 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

PETITION FOR ZONING CHANGE

2018-062 E

Ordinance Number: _____

2018-063

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class LB and R1-75 use to a class PF and MS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: Please see Attachment B.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: Please see Attachment B.

Please list other supporting documents (if any) which accompany this petition:

- 1. N/A
- 2. _____
- 3. _____

THE PROPOSED USE OF THE PROPERTY IS: Approximately 3.23 acres of the rezoned property will be used as a fuel station and convenient store, the remainder will be controlled by Cleveland Metroparks and programmed accordingly.

Name, address and **telephone number** of applicant or applicant's agent:

Name: Nick Catanzarite, Walter | Haverfield, LLP

Address: 1301 E. 9th Street, Suite 3500, Cleveland, Ohio, 44114

Telephone Number: 216-928-2981

Signature of Owner(s)Agent

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed in my presence this 23rd day of April, 2018

Joan Albers

Notary Public

JOAN ALBERS

My commission expires: _____

NOTARY PUBLIC • STATE OF OHIO
My commission expires **Oct. 15, 2021**

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

PROPERTY DESCRIPTION FORM

2018-062+

Ordinance Number: 2018-063

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 14010 Royalton Road; Vacant Land on Royalton Road; Vacant Land on Webster Road

Permanent Parcel No.: 398-28-002; 398-28-007; 398-28-009; 398-28-010

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Royalton Road (State Route 82) to the South; Webster Road to the East.

Number and type of buildings which now occupy property (if any): A single family home located on PPN 398-28-007; single family home located on 398-28-009; remainder is vacant land

Acreage: Approximately 31.587 acres total.

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): No deed restrictions identified.

Said deed restrictions (will) (have) expire(d) on: N/A

Said property is presently under lease or otherwise encumbered as follows: N/A

Owner(s)	Percent of Ownership:
1. <u>Please see Attachment A.</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

[Signature]
Signature of Owner(s)
Representative

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 23rd day of April, 2018.

[Signature]
Notary Public

My commission expires **JOAN ALBERS**
NOTARY PUBLIC • STATE OF OHIO
My commission expires Oct. 15, 2021

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

Attachment A
Property Description Form
Submitted April 23, 2018

Applicant: Walter Haverfield, LLP on behalf of Giant Eagle, Inc.
C/O Nick Catanzarite
1301 E. 9th Street
Suite 3500
Cleveland, Ohio 44114
216-928-2981
ncatanzarite@walterhav.com

Properties

398-28-002	V/L on Royalton Rd	Lori F. Catanzarite
398-28-007	Royalton Rd S	Spirnak Family Limited Partnership
398-28-009	Royalton Rd S	Spirnak Family Limited Partnership
398-28-010	V/L on Webster Road	Lori F. Catanzarite

Please see the follow pages for Authorization to Apply for Rezoning of Real Property signed by the property owners.

Attachment B
Petition for Zoning Change
Submitted April 23, 2018

Applicant: Walter Haverfield, LLP on behalf of Giant Eagle, Inc.
C/O Nick Catanzarite
1301 E. 9th Street
Suite 3500
Cleveland, Ohio 44114
216-928-2981
ncatanzarite@walterhav.com

Such change is necessary for the preservation and enjoyment of a substantial property right because:

Rezoning will allow the property to be used in a manner that best serves the interests of the community as a whole.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because:

The portion of the property to be rezoned to Motorist Service will conform to the zoning of the adjacent parcel located on the corner of Royalton Road and Webster Road. Rezoning will allow the property to be developed into a more productive use.

Converting the majority of the property to Public Facilities will limit future retail development on Royalton Road. Further, Cleveland Metroparks will utilize the property to benefit the community.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: April 24, 2018

SUBJECT: Rezoning Application
Lori F. Catanzarite, Spirnak Family Limited Partnership; Owners
Nick Catanzarite, Walter/Haverfield, LLP; Agent
PPNs: 398-28-002; 398-28-007; 398-28-009; 398-28-010
Address: 14010 Royalton Road; vacant land on Royalton Rd. and Webster Rd.
From Residential (R1-75) and Local Business (LB) to Public Facility (PF) and
Motorist Service (MS)

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

AKP
Attachments

cc: Thomas P. Perciak, Mayor
Neal Jamison, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Opera, Planning Commission Secretary

City of Strongsville

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Oprea, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: April 25, 2018

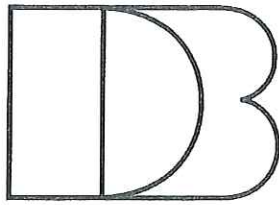
Re: Rezoning Application
Lori F. Catanzarite, Spirnak Family Limited Partnership; Owners
PPN's 398-28-002, 398-28-007, 398-28-009 and 398-28-010
14010 Royalton Road
From R1-75 to PF & MS
From LB to PF and MS

Neal,

The legal descriptions included in the Clerk of Council's April 24, 2018 memo regarding the above referenced application accurately depict the areas to be rezoned.

Please feel free to contact me with any questions.

Thank you.



**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130
F 216.642.1132

R1-75 to PF
Zoning
DB# 4887

April, 2018

LEGAL DESCRIPTION

Situated in the City of Strongsville, County of Cuyahoga, and State of Ohio, and known as being part of Original Strongsville Township Lot 15, and bounded and described as follows:

Beginning at a point in the centerline of Royalton Road (S.R. 82), variable width, at its intersection with the centerline of Webster Road, 60 feet wide;

Thence North 0 degrees 05 minutes 33 seconds East along the centerline of Webster Road, 300.03 feet to a point;

Thence South 89 degrees 13 minutes 56 seconds West, 583.96 feet to a point in the easterly line of Parcel 1 of land conveyed to the Spirnak Family Limited Partnership by deed recorded as A.F.N. 200201020417 of Cuyahoga County Records, and the principal place of beginning of the parcel herein described;

Thence South 89 degrees 13 minutes 56 seconds West along the existing southerly line of R1-75 Zoning District, 116.12 feet to its intersection with the westerly line of said District;

Thence North 0 degrees 05 minutes 33 seconds East along the said westerly line of said R1-75 Zoning District, being parallel to the centerline of Webster Road and distant 700.00 feet therefrom by rectangular measurement, 814.35 feet to its intersection with the southerly line of the Chasemoor Subdivision as shown by the recorded plat in Volume 274, Page 34 of Cuyahoga County Map Records;

Thence North 89 degrees 16 minutes 05 seconds East along the southerly line of said Chasemoor Subdivision, 670.07 feet to its intersection with the westerly line of Webster Road;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of Webster Road, 59.38 feet to its intersection with the northerly line of a parcel of land conveyed to Sophia Maloof by deed recorded as AFN 201708100558 of Cuyahoga County Records;

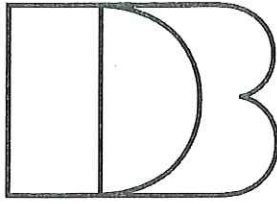
Thence North 89 degrees 54 minutes 27 seconds West along the northerly line of said land conveyed to Sophia Maloof, 200.00 feet to its intersection with the westerly line of said land so conveyed;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of said land conveyed to Sophia Maloof, 90.00 feet to its intersection with the southerly line of said land so conveyed;

Thence South 89 degrees 54 minutes 27 seconds East along the southerly line of said land conveyed to Sophia Maloof, 200.00 feet to its intersection with the westerly line of Webster Road;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of Webster Road, 140.00 feet to a point;





**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130
F 216.642.1132

R1-75 to PF
Zoning
DB# 4887

Thence North 89 degrees 54 minutes 27 seconds West, 200.00 feet to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Thomas W. & Jacqueline M. Kruggel by deed recorded as A.F.N. 200507010484 of Cuyahoga County Records;

Thence South 0 degrees 05 minutes 33 seconds West along the northerly prolongation of the westerly line of said land conveyed to Thomas W. and Jacqueline M. Kruggel, and along said westerly line, 190.00 feet to its intersection with the northerly line of a parcel of land conveyed to Jason E. Simko by deed recorded as AFN 201504280719 of Cuyahoga County Records;

Thence North 89 degrees 54 minutes 27 seconds West along the northerly line of said land conveyed to Jason E. Simko, 100.00 feet to its intersection with the westerly line of said land so conveyed;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of said land conveyed to Jason E. Simko, 100.00 feet to its intersection with the southerly line of said land so conveyed;

Thence South 89 degrees 54 minutes 27 seconds East along the southerly line of said land conveyed to Jason E. Simko, 300.00 feet to its intersection with the westerly line of Webster Road;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of Webster Road, 90.00 feet to its intersection with the northerly line of a parcel of land conveyed to Michael J. Rush by deed recorded as AFN 200907220855 of Cuyahoga County Records;

Thence North 89 degrees 54 minutes 27 seconds West along the northerly line of said land conveyed to Michael J. Rush, 200.00 feet to its intersection with the westerly line of said land so conveyed;

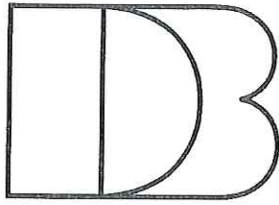
Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of said land conveyed to Michael J. Rush, 90.00 feet to its intersection with the southerly line of said land so conveyed;

Thence North 89 degrees 54 minutes 27 seconds West along the westerly prolongation of the southerly line of said land conveyed to Michael J. Rush, 352.92 feet to its intersection with the easterly line of said Parcel 1 of said land conveyed to the Spirnak Family Limited Partnership;

Thence South 0 degrees 59 minutes 01 second West along the easterly line of said Parcel 1 of land conveyed to the Spirnak Family Limited Partnership, 62.88 feet to the principal place of beginning as described by Donald Bohning & Associates in April, 2018 according to available records;

Distances are given in feet and decimal parts thereof. Bearings are referenced to an assumed meridian and are used to indicate angles only.

m:\adcadd\p\4887\documents\legals\r1-75 to pf zoning_2018-04-23.docx



**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130

F 216.642.1132

R1-75 to M5

Zoning

DB# 4887

April, 2018

LEGAL DESCRIPTION

Situated in the City of Strongsville, County of Cuyahoga, and State of Ohio, and known as being part of Original Strongsville Township Lot 15, and bounded and described as follows:

Beginning at a point in the centerline of Royalton Road (S.R. 82), variable width, at its intersection with the centerline of Webster Road, 60 feet wide;

Thence North 0 degrees 05 minutes 33 seconds East along the centerline of Webster Road, 300.03 feet to a point;

Thence South 89 degrees 13 minutes 56 seconds West, 30.00 feet to a point in the westerly line of Webster Road at its intersection with the existing southerly line of R1-75 Zoning District, and the principal place of beginning of the parcel herein described;

Thence South 89 degrees 13 minutes 56 seconds West along the southerly line of R1-75 Zoning District, being parallel to the centerline of Royalton Road and distant 300 feet therefrom by rectangular measurement, 553.96 feet to its intersection with the easterly line of Parcel 1 of land conveyed to the Spirnak Family Limited Partnership by deed recorded as A.F.N. 200201020417 of Cuyahoga County Records;

Thence North 0 degrees 59 minutes 01 second East along the easterly line of said Parcel 1 of land conveyed to the Spirnak Family Limited Partnership, 62.88 feet to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to Michael J. Rush by deed recorded as A.F.N. 200907220855 of Cuyahoga County Records;

Thence South 89 degrees 54 minutes 27 seconds East along the westerly prolongation of the southerly line of said land conveyed to Michael J. Rush, and along said southerly line 532.92 feet to a point of curvature, therein;

Thence northeasterly along the curved southerly line of said land conveyed to Michael J. Rush, being the arc of a curve deflecting to the left, 31.42 feet to a point in the westerly line of Webster Road, said arc having a radius of 20.00 feet, and a chord which bears North 45 degrees 05 minutes 33 seconds East, 28.28 feet;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of Webster Road, 74.56 feet to the principal place of beginning as described by Donald Bohning & Associates in April, 2018 according to available records;

Distances are given in feet and decimal parts thereof. Bearings are referenced to an assumed meridian and are used to indicate angles only.

m:\adcadd\p\4887\documents\legals\r1-75 to m5 zoning_2018-04-23.docx

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 063

By: Mr. Schonhut

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND WEBSTER ROAD, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION (ALL OF PPN 398-28-002; and PARTS OF PPNs 398-28-007; 398-28-009 & 398-28-010); AND FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 398-28-007), AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain properties located at Royalton Road and Webster Road, from LB (Local Business) classification to PF (Public Facilities) classification (all of PPN 398-28-002; and parts of PPN 398-28-007; 398-28-009 & 398-28-010), and from LB (Local Business) classification to MS (Motorist Service) classification (part of PPN 398-28-007), which properties are more fully described in Exhibit "A" and as depicted in Exhibit "B", attached hereto and incorporated herein as if fully rewritten.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary change on the Zoning Map to be made in order to reflect the zoning change in classification as provided in this Ordinance.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to rezone such property in order to provide for the orderly development of lots and lands within the City, to afford the applicant an opportunity to submit plans and commence construction as weather permits, to enhance economic development within the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 - 063
Page 2

elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: _____

Referred to Planning Commission

Second reading: _____

Third reading: _____

Approved: _____

Public Hearing: _____

 President of Council

Approved: _____

Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____

Clerk of Council

ORD. No. 2018-063 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

PETITION FOR ZONING CHANGE

2018-062 E

Ordinance Number: 2018-063

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class LB and R1-75 use to a class PF and MS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: Please see Attachment B.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: Please see Attachment B.

Please list other supporting documents (if any) which accompany this petition:

- 1. N/A
- 2. _____
- 3. _____

THE PROPOSED USE OF THE PROPERTY IS: Approximately 3.23 acres of the rezoned property will be used as a fuel station and convenient store, the remainder will be controlled by Cleveland Metroparks and programmed accordingly.

Name, address and **telephone number** of applicant or applicant's agent:

Name: Nick Catanzarite, Walter | Haverfield, LLP

Address: 1301 E. 9th Street, Suite 3500, Cleveland, Ohio, 44114

Telephone Number: 216-928-2981

[Signature]
Signature of Owner(s)Agent

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed in my presence this 23rd day of April, 2018

[Signature]
Notary Public **JOAN ALBERS**
NOTARY PUBLIC • STATE OF OHIO
My commission expires: Oct. 15, 2021

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

PROPERTY DESCRIPTION FORM

2018-062+

Ordinance Number:

2018-063

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 14010 Royalton Road; Vacant Land on Royalton Road; Vacant Land on Webster Road

Permanent Parcel No.: 398-28-002; 398-28-007; 398-28-009; 398-28-010

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Royalton Road (State Route 82) to the South; Webster Road to the East.

Number and type of buildings which now occupy property (if any): A single family home located on PPN 398-28-007; single family home located on 398-28-009; remainder is vacant land

Acreage: Approximately 31.587 acres total.

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): No deed restrictions identified.

Said deed restrictions (will) (have) expire(d) on: N/A

Said property is presently under lease or otherwise encumbered as follows: N/A

Owner(s)	Percent of Ownership:
1. <u>Please see Attachment A.</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

[Signature]
Signature of Owner(s)
Representative

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 23rd day of April, 2018

[Signature]
Notary Public

My commission expires

JOAN ALBERS

NOTARY PUBLIC - STATE OF OHIO
My commission expires Oct. 15, 2021

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

Attachment A
Property Description Form
Submitted April 23, 2018

Applicant: Walter Haverfield, LLP on behalf of Giant Eagle, Inc.
C/O Nick Catanzarite
1301 E. 9th Street
Suite 3500
Cleveland, Ohio 44114
216-928-2981
ncatanzarite@walterhav.com

Properties

398-28-002	V/L on Royalton Rd	Lori F. Catanzarite
398-28-007	Royalton Rd S	Spirnak Family Limited Partnership
398-28-009	Royalton Rd S	Spirnak Family Limited Partnership
398-28-010	V/L on Webster Road	Lori F. Catanzarite

Please see the follow pages for Authorization to Apply for Rezoning of Real Property signed by the property owners.

Attachment B
Petition for Zoning Change
Submitted April 23, 2018

Applicant: Walter Haverfield, LLP on behalf of Giant Eagle, Inc.
C/O Nick Catanzarite
1301 E. 9th Street
Suite 3500
Cleveland, Ohio 44114
216-928-2981
ncatanzarite@walterhav.com

Such change is necessary for the preservation and enjoyment of a substantial property right because:

Rezoning will allow the property to be used in a manner that best serves the interests of the community as a whole.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because:

The portion of the property to be rezoned to Motorist Service will conform to the zoning of the adjacent parcel located on the corner of Royalton Road and Webster Road. Rezoning will allow the property to be developed into a more productive use.

Converting the majority of the property to Public Facilities will limit future retail development on Royalton Road. Further, Cleveland Metroparks will utilize the property to benefit the community.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: April 24, 2018

SUBJECT: Rezoning Application
Lori F. Catanzarite, Spirnak Family Limited Partnership; Owners
Nick Catanzarite, Walter/Haverfield, LLP; Agent
PPNs: 398-28-002; 398-28-007; 398-28-009; 398-28-010
Address: 14010 Royalton Road; vacant land on Royalton Rd. and Webster Rd.
From Residential (R1-75) and Local Business (LB) to Public Facility (PF) and
Motorist Service (MS)

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

AKP
Attachments

cc: Thomas P. Perciak, Mayor
Neal Jamison, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Opera, Planning Commission Secretary

City of Strongsville

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Oprea, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: April 25, 2018

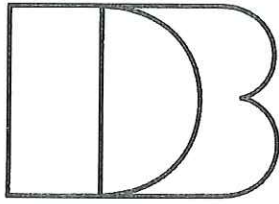
Re: Rezoning Application
Lori F. Catanzarite, Spirnak Family Limited Partnership; Owners
PPN's 398-28-002, 398-28-007, 398-28-009 and 398-28-010
14010 Royalton Road
From R1-75 to PF & MS
From LB to PF and MS

Neal,

The legal descriptions included in the Clerk of Council's April 24, 2018 memo regarding the above referenced application accurately depict the areas to be rezoned.

Please feel free to contact me with any questions.

Thank you.



**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130

F 216.642.1132

LB to PF
Zoning
DB# 4887

April, 2018

LEGAL DESCRIPTION

Situated in the City of Strongsville, County of Cuyahoga, and State of Ohio, and known as being part of Original Strongsville Township Lot 15, and bounded and described as follows:

Beginning at a point in the centerline of Royalton Road (S.R. 82), variable width, at its intersection with the centerline of Webster Road, 60 feet wide;

Thence South 89 degrees 13 minutes 56 seconds West along the centerline of Royalton Road, 588.63 feet to its intersection with the easterly line of Parcel 1 of land conveyed to the Spirnak Family Limited Partnership by deed recorded as AFN 200201020417 of Cuyahoga County Records;

Thence North 0 degrees 59 minutes 01 second East along the easterly line of said Parcel 1 of said land conveyed to the Spirnak Family Limited Partnership, 48.02 feet to its intersection with the northerly line of Royalton Road, and the principal place of beginning of the parcel herein described;

Thence South 89 degrees 13 minutes 56 seconds West along the northerly line of Royalton Road, 350.00 feet to its intersection with the easterly line of a parcel of land conveyed to Debra M. Jones by deed recorded as AFN 201509030621 of Cuyahoga County Records;

Thence North 0 degrees 59 minutes 01 second East along the easterly line of said land conveyed to Debra M. Jones, 271.98 feet to its intersection with the northerly line of said land so conveyed;

Thence South 89 degrees 13 minutes 56 seconds West along the northerly line of said land conveyed to Debra M. Jones, 217.00 feet to its intersection with the westerly line of said land so conveyed;

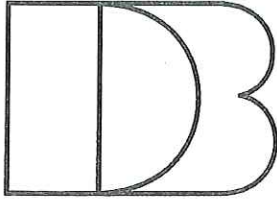
Thence South 0 degrees 59 minutes 01 second West along the westerly line of said land conveyed to Debra M. Jones, 276.98 feet to its intersection with the northerly line of Royalton Road;

Thence South 89 degrees 13 minutes 56 seconds West along the northerly line of Royalton Road, 240.18 feet to its intersection with the westerly line of Parcel 1 of land conveyed to Lori F. Catanzarite by deed recorded as AFN 200711160795 of Cuyahoga County Records;

Thence North 0 degrees 44 minutes 40 seconds East along the westerly line of said Parcel 1 of said land conveyed to Lori F. Catanzarite, 1072.06 feet to its intersection with the southerly line of the Chasemoor Subdivision as shown by the recorded plat in Volume 274, Page 34 of Cuyahoga County Map Records;

Thence North 89 degrees 16 minutes 05 seconds East along the southerly line of said Chasemoor Subdivision, 682.86 feet to its intersection with the easterly line of said LB Zoning District;

Thence South 0 degrees 05 minutes 33 seconds West along the easterly line of said LB Zoning District, 814.35 feet to its intersection with a northerly line of said District;



**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130

F 216.642.1132

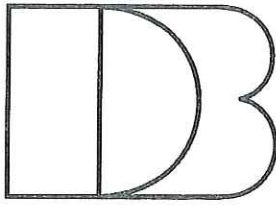
LB to PF
Zoning
DB# 4887

Thence North 89 degrees 13 minutes 56 seconds East along said northerly line of said LB Zoning District, 116.12 feet to its intersection with the easterly line of said Parcel 1 of said land conveyed to the Spirnak Family Limited Partnership;

Thence South 0 degrees 59 minutes 01 second West along the easterly line of said Parcel 1 of said land conveyed to the Spirnak Family Limited Partnership, 252.12 feet to the principal place of beginning as described by Donald Bohning & Associates in April, 2018 according to available records.

Distances are given in feet and decimal parts thereof. Bearings are referenced to an assumed meridian and are used to indicate angles only.

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**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130
F 216.642.1132

LB to MS

Zoning
DB# 4887

April, 2018

LEGAL DESCRIPTION

Situated in the City of Strongsville, County of Cuyahoga, and State of Ohio, and known as being part of Original Strongsville Township Lot 15, and bounded and described as follows:

Beginning at a point in the centerline of Royalton Road (S.R. 82), variable width, at its intersection with the centerline of Webster Road, 60 feet wide;

Thence North 0 degrees 05 minutes 33 seconds East along the centerline of Webster Road, 180.00 feet to its intersection with the northerly line of a parcel of land conveyed to Arthur C. & Charlene Hofer by deed recorded in Volume 90-2204, Page 58 of the Official Records of Cuyahoga County;

Thence South 89 degrees 13 minutes 56 seconds West along the northerly line of said land conveyed to Arthur C. & Charlene Hofer, 30.00 feet to its intersection with the westerly line of Webster Road, and the principal place of beginning of the parcel herein described;

Thence South 89 degrees 13 minutes 56 seconds West along the northerly line of said land conveyed to Arthur C. & Charlene Hofer, 150.00 feet to its intersection with the westerly line of said land so conveyed;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of said land conveyed to Arthur C. & Charlene Hofer, 137.00 feet to its intersection with the northerly line of Royalton Road;

Thence South 89 degrees 13 minutes 56 seconds West along the northerly line of Royalton Road, 407.96 feet to its intersection with the easterly line of Parcel 1 of land conveyed to the Spirnak Family Limited Partnership by deed recorded as AFN 200201020417 of Cuyahoga County Records;

Thence North 0 degrees 59 minutes 01 second East along the easterly line of said Parcel 1 of said land conveyed to the Spirnak Family Limited Partnership, 257.12 feet to its intersection with the northerly line of the existing LB Zoning District;

Thence North 89 degrees 13 minutes 56 seconds East along the northerly line of said existing LB Zoning District, 553.96 feet to its intersection with the westerly line of Webster Road;

Thence South 0 degrees 05 minutes 33 seconds West along the westerly line of Webster Road, 120.03 feet to the principal place of beginning as described by Donald Bohning & Associates in April, 2018 according to available records;

Distances are given in feet and decimal parts thereof. Bearings are referenced to an assumed meridian and are used to indicate angles only.

m:\adcadd\p\4887\documents\legals\lb to ms zoning_2018-04-23.docx

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2018 – 064

By: Mayor Perciak and Mr. Schonhut

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE 2018 DRAKE ROAD STORM SEWER PROJECT IN THE CITY OF STRONGSVILLE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized to advertise for bids for the 2018 Drake Road Storm Sewer Project consisting of removal and installation of storm sewers, storm manholes and appurtenances, and the replacement of concrete aprons, in accordance with specifications and bid documents on file in the office of the City Engineer, which are in all respects hereby approved.

Section 2. That the funds for the purposes of this Resolution shall be paid from the Drainage Levy Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2018-064 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2018 – 065

By: Mayor Perciak and All Members of Council

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE 2018 PAVEMENT RECONSTRUCTION PROGRAM-PHASE II, IN THE CITY OF STRONGSVILLE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized to advertise for bids for the 2018 Pavement Reconstruction Program-Phase II, consisting of removal and replacement of concrete pavement, catch basin reconstruction, and replacement of curbs and ramps, in accordance with specifications and bid documents on file in the office of the City Engineer, which are in all respects hereby approved.

Section 2. That the funds for the purposes of this Resolution have been appropriated and shall be paid from the General Capital Improvement Fund, and from the sale of notes that may be issued by the City in connection with financing this Project.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2018-065 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 - 066
BY: MAYOR THOMAS P. PERCIAK

AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2018 AND REPEALING ORDINANCE NUMBER 2018 - 042.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1: THAT THERE BE APPROPRIATED FROM THE FOLLOWING FUNDS AND AS FURTHER DETAILED IN THE SCHEDULE ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN:

<u>General Fund - 101</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
101 Total General Fund		\$ 17,588,300.00	\$ 8,069,100.00	\$ 12,212,000.00	\$ 37,869,400.00
<u>Special Revenue Funds - 200</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,365,300.00	\$ -	\$ -	\$ 1,365,300.00
204	Street Construction & Maintenance	5,351,500.00	8,051,300.00	-	13,402,800.00
205	State Highway Maintenance	-	140,000.00	-	140,000.00
206	Motor Vehicle License Tax	-	400,000.00	-	400,000.00
207	Emergency Vehicle Fund	-	1,081,000.00	-	1,081,000.00
208	Fire Levy	7,698,000.00	711,900.00	-	8,409,900.00
209	Fire Pension	1,479,400.00	-	-	1,479,400.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	1,125,500.00	-	1,125,500.00
214	Multi-Purpose Complex	3,277,400.00	2,011,600.00	-	5,289,000.00
215	Southwest General Hospital	-	356,296.00	-	356,296.00
216	Law Enforcement Federal Seizures	-	7,000.00	-	7,000.00
217	Law Enforcement State Seizures	-	12,000.00	-	12,000.00
218	Law Enforcement Drug Fine	-	400.00	-	400.00
219	Law Enforcement DWI/DUI	-	10,000.00	-	10,000.00
220	Tree Fund	-	150,000.00	-	150,000.00
222	Community Diversion	11,300.00	2,300.00	-	13,600.00
224	Earned Benefits	505,800.00	-	-	505,800.00
200 Total Special Revenue Funds		\$ 19,688,700.00	\$ 14,099,296.00	\$ -	\$ 33,787,996.00
<u>Debt Service Funds - 300</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 3,471,275.00	\$ -	\$ 3,471,275.00
333	Pearl Road TIF # 1 Fund	-	572,300.00	-	572,300.00
334	Royalton Road TIF Fund	-	3,000.00	-	3,000.00
335	Pearl Road TIF # 2 Fund	-	-	-	-
336	Pearl Road TIF # 3 Fund	-	-	-	-
337	Westwood Commons TIF Fund	-	-	20,000.00	20,000.00
338	Giant Eagle TIF	-	-	-	-
300 Total Debt Service Funds		\$ -	\$ 4,046,575.00	\$ 20,000.00	\$ 4,066,575.00
<u>Capital Improvement Capital Project Funds - 400</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 1,100,000.00	\$ -	\$ 1,100,000.00
442	General Capital Improvement	-	2,303,000.00	-	2,303,000.00
447	TIF Capital Improvements Fund	-	124,000.00	-	124,000.00
400 Total Capital Project Funds		\$ -	\$ 3,527,000.00	\$ -	\$ 3,527,000.00

<u>Enterprise Funds - 500</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 1,482,100.00	\$ 9,792,634.00	\$ -	\$ 11,274,734.00

<u>Internal Service Fund - 600</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
661	Health Insurance Reserve	\$ -	\$ 5,142,700.00	\$ -	\$ 5,142,700.00
664	Worker's Compensation Reserve	-	620,000.00	-	620,000.00
600	Total Internal Service Funds	\$ -	\$ 5,762,700.00	\$ -	\$ 5,762,700.00
Grand Total All Funds		\$ 38,759,100.00	\$ 45,297,305.00	\$ 12,232,000.00	\$ 96,288,405.00

<u>Itemized list of Transfers and Advances by Fund</u>	
Description	Amount
General Fund to Street Construction Fund	\$ 4,300,000.00
General Fund to Fire Levy Fund	3,000,000.00
General Fund to Multi-Complex Fund	1,600,000.00
General Fund to Police Pension Fund	840,000.00
General Fund to Fire Pension Fund	972,000.00
General Fund to Drainage Levy Fund	200,000.00
General Fund to Earned Benefits Fund	500,000.00
General Fund to General Bond Retirement	300,000.00
General Fund to General Capital Improvement Fund	500,000.00
Total Transfers	\$ 12,212,000.00
Westwood Commons TIF to General Fund	20,000.00
Total Advance Repayments	\$ 20,000.00
Total Transfers and Advance Repayments	\$ 12,232,000.00

Section 2: That all expenditures within the fiscal year ending December 31, 2018 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4: AS AN ORDINANCE providing for the appropriation of monies and consistent with the City's Charter Article III, Section 13, this Ordinance shall take effect immediately upon its passage and approval by the Mayor, or otherwise at the earliest time allowed by law.

President of Council

Approved: _____
Mayor

Date Passed

Date Approved

Attest: _____
Clerk of Council

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

ORD. No. 2018-066 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT - page 1 of 2

Dept #	Department	Personal Services	Other	Transfers & Advances	Total
011410	Council	\$ 330,400.00	\$ 30,000.00	\$ -	\$ 360,400.00
011411	Mayors Office	348,300.00	15,300.00	-	363,600.00
015412	Police Department	9,619,700.00	1,461,800.00	-	11,081,500.00
011413	Human Resources	236,400.00	81,900.00	-	318,300.00
011414	Finance Department	523,400.00	21,600.00	-	545,000.00
011415	Legal Department	489,400.00	100,900.00	-	590,300.00
011416	Communication & Technology	647,600.00	812,000.00	-	1,459,600.00
011417	Building Department	1,031,700.00	206,300.00	-	1,238,000.00
011418	Mayors Court	171,000.00	28,100.00	-	199,100.00
011420	Rubbish Department	-	2,500,500.00	-	2,500,500.00
011421	Cemetery Department	124,100.00	256,100.00	-	380,200.00
011422	Architectural Board of Review	-	6,000.00	-	6,000.00
011423	Planning Commission	107,100.00	119,000.00	-	226,100.00
011424	Civil Service	-	31,000.00	-	31,000.00
011425	Board of Appeals	-	11,000.00	-	11,000.00
011428	Parks Department	107,700.00	346,100.00	-	453,800.00
011429	Public Safety	164,300.00	-	-	164,300.00
011430	General Miscellaneous	-	1,619,600.00	-	1,619,600.00
011435	Economic Development	155,200.00	144,600.00	-	299,800.00
015415	OPID Grant	43,500.00	-	-	43,500.00
015414	Corrections Officers	847,400.00	167,000.00	-	1,014,400.00
015413	Joint Dispatch Center	2,641,100.00	110,300.00	-	2,751,400.00
011468	Non Government Transfers	-	-	12,212,000.00	12,212,000.00
Total General Fund		\$ 17,588,300.00	\$ 8,069,100.00	\$ 12,212,000.00	\$ 37,869,400.00
031000	Police Pension	1,365,300.00	-	-	1,365,300.00
046419	Street Repairs	4,508,300.00	6,273,800.00	-	10,782,100.00
046426	Traffic Signal Maintenance	106,000.00	230,500.00	-	336,500.00
046427	Snow Removal	-	700,000.00	-	700,000.00
046433	Municipal Garage	737,200.00	847,000.00	-	1,584,200.00
056000	State Highway Maintenance	-	140,000.00	-	140,000.00
066000	Motor Vehicle License Tax	-	400,000.00	-	400,000.00
075000	Emergency Vehicle Fund	-	1,081,000.00	-	1,081,000.00
085000	Fire Levy	7,698,000.00	440,700.00	-	8,138,700.00
085001	Fire Station Ward 1	-	69,200.00	-	69,200.00
085002	Fire Station Ward 2	-	47,500.00	-	47,500.00
085003	Fire Station Ward 3	-	35,500.00	-	35,500.00
085004	Fire Station Ward 4	-	119,000.00	-	119,000.00
095000	Fire Pension	1,479,400.00	-	-	1,479,400.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	1,125,500.00	-	1,125,500.00
143304	Sports Programs	323,000.00	297,700.00	-	620,700.00
143305	Recreation Administration	465,000.00	706,300.00	-	1,171,300.00
143306	Fitness	420,100.00	168,900.00	-	589,000.00
143310	Aquatics	725,800.00	98,100.00	-	823,900.00
143311	Recreation Programs	250,000.00	30,200.00	-	280,200.00
143430	Special Events	-	15,200.00	-	15,200.00
143431	Old Town Hall	10,800.00	16,100.00	-	26,900.00
143439	Senior Services	593,100.00	403,900.00	-	997,000.00
143451	Recreation Maintenance	489,600.00	232,000.00	-	721,600.00
143500	Program Refunds	-	43,200.00	-	43,200.00
152000	Southwest General Hospital	-	356,296.00	-	356,296.00
165000	Law Enforcement Federal Seizures	-	7,000.00	-	7,000.00
175000	Law Enforcement State Seizures	-	12,000.00	-	12,000.00
185000	Law Enforcement Drug Fine	-	400.00	-	400.00
195000	Law Enforcement DWI/DUI	-	10,000.00	-	10,000.00
204000	Tree Maintenance	-	150,000.00	-	150,000.00
225000	Community Diversion	11,300.00	2,300.00	-	13,600.00
224000	Earned Benefits	505,800.00	-	-	505,800.00
Total Special Revenue Funds		\$ 19,688,700.00	\$ 14,099,296.00	\$ -	\$ 33,787,996.00

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT - page 2 of 2

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	3,471,275.00	-	3,471,275.00
333000	Pearl Road TIF # 1	-	572,300.00	-	572,300.00
334000	Royalton Road TIF	-	3,000.00	-	3,000.00
335000	Pearl Road TIF # 2	-	-	-	-
336000	Pearl Road TIF # 3	-	-	-	-
337000	Westwood Commons	-	-	20,000.00	20,000.00
338000	Giant Eagle TIF	-	-	-	-
	Total Debt Service	\$ -	\$ 4,046,575.00	\$ 20,000.00	\$ 4,066,575.00
413000	Recreation Capital Improvement	-	1,100,000.00	-	1,100,000.00
421000	General Capital Improvement	-	2,303,000.00	-	2,303,000.00
447100	Pearl & Whitney TIF	-	-	-	-
447102	Prospect/Albion TIF	-	-	-	-
447104	42/82 TIF	-	124,000.00	-	124,000.00
	Total Capital Projects	\$ -	\$ 3,527,000.00	\$ -	\$ 3,527,000.00
512501	Engineering and Administration	689,700.00	940,400.00	-	1,630,100.00
512502	Plant Expenditures	-	5,226,500.00	-	5,226,500.00
512503	Line Expenditures	792,400.00	430,000.00	-	1,222,400.00
512504	Sewer Capital Improvements	-	2,870,000.00	-	2,870,000.00
512505	Sewer Debt Payments	-	325,734.00	-	325,734.00
	Total Sanitary Sewer	\$ 1,482,100.00	\$ 9,792,634.00	\$ -	\$ 11,274,734.00
661000	Health Insurance Reserve	-	5,142,700.00	-	5,142,700.00
664000	Workers Compensation Reserve	-	620,000.00	-	620,000.00
	Total Internal Service	\$ -	\$ 5,762,700.00	\$ -	\$ 5,762,700.00
	GRAND TOTAL	\$ 38,759,100.00	\$ 45,297,305.00	\$ 12,232,000.00	\$ 96,288,405.00

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 067

By: Mayor Perciak and Mr. Short

AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF NINE (9) 2018 FORD UTILITY INTERCEPTOR VEHICLES AND ONE (1) 2018 FORD UTILITY INTERCEPTOR K9 VEHICLE, FOR USE BY THE POLICE DEPARTMENT OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 5513.01(B) provides the opportunity for counties, townships and municipal corporations to participate in contracts of the Ohio Department of Administrative Services for the purchase of machinery, materials, supplies or other articles; and

WHEREAS, this Council wishes to take advantage of that opportunity in connection with the purchase of nine (9) 2018 Ford Utility Interceptor vehicles and one (1) 2018 Ford Utility Interceptor K9 vehicle, all with certain basic options and appurtenances (Contract No. RS900718, Index No. GDC050), for use by the Police Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in the Ohio Department of Administrative Services contracts for the purchase through **LEBANON FORD, INC.** of nine (9) Ford Utility Interceptor vehicles, in the amount of \$246,843.00, and one (1) 2018 Ford Utility Interceptor K9 vehicle, in the amount of \$28,140.00, all with certain basic options and appurtenances, for a total amount not to exceed \$274,983.00, for use by the Police Department of the City, as itemized on Exhibit A attached hereto and incorporated herein, which the Department has entered into pursuant to Revised Code Section 5513.01(B).

Section 2. That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of Administrative Services for such purchases and to directly pay the vendor, under each such contract of the Ohio Department of Administrative Services in which the City participates for items it receives pursuant to the contract.

Section 3. That the Mayor and Director of Finance be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the Ohio Department of Administrative Services Cooperative Purchasing Program.

Section 4. That the funds for the purposes of said contract have been appropriated and shall be paid from the Emergency Vehicle Fund.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to participate in such program and purchase such vehicle in order to maintain continuity in the operation of the Police Department, to provide for the safety and welfare of the public, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-067 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

LEBANON FORD™ COMMERCIAL



EXPLORER 4-DOOR
2018 4DR AWD POLICE
3.7L V6 TIVCT ENGINE
6-SPEED AUTO TRANSMISSION

Exterior
BLACK
Interior
CHARCOAL BLACK INTERIOR CLOTH
BUCKETS/VINYL REAR SEATS

EXTERIOR
245/55R18 A/S POLICE TIRES
18" H.D. STEEL WHEELS
18" WHEEL HUB CAP
FULL SIZE 18" SPARE W/TPMS
DUAL POWER MIRRORS
INTEGRATED SPOTTER MIRRORS
HALOGEN HEADLAMPS
PRIVACY GLASS 2ND/3RD ROW
DUAL EXHAUST SYSTEM
GRILLE - BLACK
KEY LOCKS (DR/PASS/LFTGT)
EASY FUEL CAPLESS FILLER

INTERIOR
. BLACK VINYL FLOOR COVERING
. PWR DR SEAT/6-WAY/M LUMBAR
. MANUAL PASS SEAT - 2-WAY
. CLOTH BUCKET FRONT SEATS
. 60/40 SPLIT VINYL REAR
TILT STEERING WHL/ CRUISE & AUDIO CONTROLS
. 1-TOUCH DOWN DRIVER WINDOW
. A/C W/MANUAL CLIMATE CONTROL, SINGLE ZONE
. CERTIFIED SPEEDOMETER
. ENGINE HOUR / IDLE METER
. CONSOLE MOUNTING PLATE
. UNIVERSAL TOP TRAY
. RED / WHITE DOME LAMP

FUNCTIONAL
ALL WHEEL DRIVE SYSTEM
COLUMN MOUNTED SHIFTER
HEAVY DUTY 78-AMP BATTERY
20 AMP ALTERNATOR
POLICE BRAKES: 4 WHL DISC
ABS & TRACTION CONTROL
HEAVY DUTY SUSPENSION
POWER STEERING W/EPAS
ENGINE OIL COOLER
TRANSMISSION OIL COOLER
POWER LOCKS AND WINDOWS
M/FM SINGLE CD/MP3, 6SPKR
ADJUST PEDALS, NON MEMORY
BATTERY SAVER FEATURE
POWERPOINTS (2)

SAFETY/SECURITY
. 75 MPH REAR-CRASH TESTED
. ADVANCETRAC WITH RSC
. AIRBAGS - FRONT AND SIDE
. AIRBAGS - SAFETY CANOPY
. PERSONAL SAFETY SYSTEM
. SOS POST CRASH ALERT SYS
. TIRE PRESSURE MONITOR SYS
WARRANTY
. 3YR/36K MILE WARRANTY

STANDARD STATE BID PRICE \$26,599.00

Included on this Vehicle
EQUIPMENT GROUP 500A
Optional Equipment
2018 MODEL YEAR
BLACK
CHARCOAL CLT FRT/VINYL RR
3.7L V6 ENGINE
6-SPEED AUTO TRANSMISSION
FRONT LICENSE PLATE BRACKET
51Y REGULER SPOT LIGHT STD
HEATED SIDE MIRRORS \$59.00
KEYED ALIKE CODE 59B 1284X \$75.00
HEADLIGHT PREP 86P \$124.00
SYNC SYSTEM 53M \$294.00
DELIVERY CHARGE \$276.00
YOUR STATE BID IS \$27,427.00
TOTAL FOR 9 \$246,843.00

LEBANON FORD
FRANK BEAVER 614-570-0702



LEBANON FORD™ COMMERCIAL



EXPLORER 4-
DOOR 2018 4DR AWD POLICE
3.7L V6 TIVCT ENGINE
6-SPEED AUTO TRANSMISSION

Exterior
BLACK
Interior
CHARCOAL BLACK INTERIOR CLOTH
BUCKETS/VINYL REAR SEATS

EXTERIOR
245/55R18 A/S POLICE TIRES
18" H.D. STEEL WHEELS
18" WHEEL HUB CAP
FULL SIZE 18" SPARE W/TPMS
DUAL POWER MIRRORS
INTEGRATED SPOTTER MIRRORS
HALOGEN HEADLAMPS
PRIVACY GLASS 2ND/3RD ROW
DUAL EXHAUST SYSTEM
GRILLE - BLACK
KEY LOCKS (DR/PASS/LFTGT)
EASY FUEL CAPLESS FILLER

INTERIOR
. BLACK VINYL FLOOR
COVERING
. PWR DR SEAT/6-WAY/M
LUMBAR
. MANUAL PASS SEAT - 2-WAY
. CLOTH BUCKET FRONT SEATS
. 60/40 SPLIT VINYL REAR
TILT STEERING WHL/ CRUISE
& AUDIO CONTROLS
. 1-TOUCH DOWN DRIVER
WINDOW
. A/C W/MANUAL CLIMATE
CONTROL, SINGLE ZONE
. CERTIFIED SPEEDOMETER
. ENGINE HOUR / IDLE METER
. CONSOLE MOUNTING PLATE
. UNIVERSAL TOP TRAY
. RED / WHITE DOME LAMP

FUNCTIONAL
ALL WHEEL DRIVE SYSTEM
COLUMN MOUNTED SHIFTER
HEAVY DUTY 78-AMP BATTERY
20 AMP ALTERNATOR
POLICE BRAKES: 4 WHL DISC
ABS & TRACTION CONTROL
HEAVY DUTY SUSPENSION
POWER STEERING W/EPAS
ENGINE OIL COOLER
TRANSMISSION OIL COOLER
POWER LOCKS AND WINDOWS
AM/FM SINGLE CD/MP3, 6SPKR
ADJUST PEDALS, NON MEMORY
BATTERY SAVER FEATURE
POWERPOINTS (2)

SAFETY/SECURITY
. 75 MPH REAR-CRASH TESTED
. ADVANCETRAC WITH RSC
. AIRBAGS - FRONT AND SIDE
. AIRBAGS - SAFETY CANOPY
. PERSONAL SAFETY SYSTEM
. SOS POST CRASH ALERT SYS
. TIRE PRESSURE MONITOR SYS
WARRANTY
. 3YR/36K MILE WARRANTY

STANDARD STATE BID PRICE \$26,599.00
Included on this Vehicle
EQUIPMENT GROUP 500A
Optional Equipment
2018 MODEL YEAR
BLACK
CHARCOAL CLT FRT/VINYL RR
3.7L V6 ENGINE
6-SPEED AUTO TRANSMISSION
FRONT LICENSE PLATE BRACKET
51Y REGULER SPOT LIGHT STD
REAR AUX A/C \$699.00
HEATED SIDE MIRRORS \$59.00
KEYED ALIKE CODE 59B 1284X \$75.00
HEADLIGHT PREP 86P \$124.00
SYNC SYSTEM 53M \$294.00
DELIVERY CHARGE \$290.00
YOUR STATE BID IS \$28,140.00

K-9 vehicle

LEBANON FORD
FRANK BEAVER 614-570-0702

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 068

By: Mayor Perciak and Ms. Roff

AN ORDINANCE AUTHORIZING THE FILING OF AN APPLICATION THROUGH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS PROGRAM FOR FUNDING FOR A PLAYGROUND AT Surrarer Park, IN ORDER TO ASSIST THE CITY IN DEVELOPING AN OUTDOOR PUBLIC RECREATION AREA; AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for outdoor public recreation purposes, through the State of Ohio NatureWorks Program; and

WHEREAS, the NatureWorks Program provides up to 75 percent reimbursement assistance to eligible political subdivisions for the purpose of acquiring and/or developing outdoor public recreation areas; and

WHEREAS, the City of Strongsville would like to develop a playground on City-owned property located at Surrarer Park, including but not limited to playground equipment and other appurtenances; and

WHEREAS, the City, therefore, is desirous of applying for funding from the NatureWorks Program in order to assist the City in developing the playground at Surrarer Park.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council approves filing the application for financial assistance under the NatureWorks program.

Section 2. That the Mayor and other appropriate officers of the City be and are hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources for funding under the NatureWorks Program to provide up to 75 percent reimbursement assistance for the development of a playground on City-owned property located at Surrarer Park, and to provide all information and documentation required in said application, all as set forth in the application on file with the City's Director of Recreation & Senior Services.

Section 3. That the matching funds required to meet the City's obligation under said application and for reimbursement under the NatureWorks Program shall be appropriated and paid from the Multi-Purpose Complex Fund.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 – 068
Page 2

Section 5. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that the prompt execution of such application is required in order to meet the filing deadline, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-068 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 069

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF RECREATION & SENIOR SERVICES TO SUBMIT A PROPOSAL TO RECEIVE FUNDING FROM THE CUYAHOGA COUNTY DEPARTMENT OF SENIOR & ADULT SERVICES THROUGH ITS COMMUNITY SOCIAL SERVICES PROGRAM, IN CONNECTION WITH VARIOUS CITY SENIOR PROGRAMS, FUNCTIONS, AND TRANSPORTATION FOR 2019; AUTHORIZING EXECUTION OF ANY REQUIRED AGREEMENT AND DOCUMENTS RELATED THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, this Council, through Ordinance Nos. 2015-247 and 2016-172 authorized the Mayor and Director of Recreation & Senior Services to submit proposals and receive funding from the Cuyahoga County Department of Senior & Adult Services in order to provide senior developmental activities for its senior members; and

WHEREAS, Cuyahoga County has once again issued a Request for Proposal (RFP #SA-18-42490) on behalf of its Division of Senior & Adult Services, soliciting proposals from agencies and organizations interested in providing 2019 Community Social Services Programs (adult development and transportation services) to Cuyahoga County; and

WHEREAS, the City of Strongsville's Department of Senior Services regularly offers and provides such services to its senior members; and

WHEREAS, the County's Community Social Services Program would provide reimbursements to the City for certain adult development activities now offered free to Strongsville Senior Center members relating to adult development and transportation trips for total funds not to exceed \$100,000.00 for 2019, with a possible contract extension for up to two years; and

WHEREAS, the City's Department of Senior Services has a need to provide and fund such senior developmental activities for its senior members; and

WHEREAS, the Council and City Administration, therefore, are desirous of again submitting a proposal to Cuyahoga County in order to participate in funding for the above senior adult developmental activities for the City's Senior Center.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby authorizes the Mayor and Director of Recreation & Senior Services to submit a proposal for and accept funds not to exceed the amount of \$100,000.00 for 2019 from the Cuyahoga County Division of Senior & Adult Services through its Community Social Services Program, to assist the City of Strongsville's senior adult developmental programs, including adult development and transportation, as more fully set forth in the Request for Proposal on file with the City's Director of Recreation & Senior Services;

and further authorizing the Mayor to execute any required Agreement, and to further provide, execute and deliver such other information as may be required in connection therewith.

Section 2. That the Mayor, the Director of Finance, Director of Recreation & Senior Services and/or their designees be and are hereby authorized to do any and all other things necessary to perform the terms and conditions required by Cuyahoga County in this regard and in accordance with their respective responsibilities thereunder.

Section 3. That any funds required to meet the City's obligation, if any, under this Ordinance and the Request for Proposal will be appropriated and paid from the Multi-Purpose Complex Fund.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to timely submit a proposal and be awarded such funding in order to continue and enhance the senior adult-related programs of the City's Department of Senior Services, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council
 Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-069 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 070

By: Mayor Perciak and Ms. Roff

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NON-EXCLUSIVE RENTAL/OCCUPANCY AGREEMENT WITH THE GREAT LAKES BASEBALL LEAGUE ON A LIMITED BASIS FOR 2018, FOR THE USE OF VARIOUS BASEBALL FIELDS IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville provides various City parks that offer baseball fields and facilities for the enjoyment and benefit of residents and guests; and

WHEREAS, the Great Lakes Baseball League (GLBL) organizes baseball tournaments for boys in the State of Ohio; and

WHEREAS, GLBL again desires to occupy and use the City baseball fields to stage and conduct the “26th Annual Strongsville Memorial Day Weekend Tournament” baseball tournament from May 24, 2018 through May 28, 2018, on a limited and non-exclusive basis; and

WHEREAS, the City welcomes this effort to continue to provide the children and families of Strongsville a safe and rewarding youth baseball experience; and

WHEREAS, the parties, therefore, now desire to enter into a limited non-exclusive Rental/Occupancy Agreement for 2018 to be authorized in accordance with Strongsville Codified Ordinance 264.02.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council finds and determines that the baseball field facilities owned by the City of Strongsville at various locations throughout the City, are not needed entirely for municipal public use; and authorizes and directs the Mayor to enter into a non-exclusive Rental/Occupancy Agreement with the Great Lakes Baseball League for 2018, and upon the other terms and conditions set forth in the Rental/Occupancy Agreement, attached hereto and designated Exhibit 1, which is approved in all respects.

Section 2. That to the extent any funds will be required for the implementation of this Ordinance, such will be paid from the Multi-Purpose Complex Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2018 – 070
PAGE 2

Section 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and in order to provide for the use of City lands by an organization, for recreational purposes for the benefit of the community, and to conserve City funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2018-070 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

RENTAL/OCCUPANCY AGREEMENT

THIS RENTAL/OCCUPANCY AGREEMENT is made effective the ____ day of _____, 2018, by and between **THE CITY OF STRONGSVILLE, OHIO**, a municipal corporation organized and existing pursuant to law and located at 16099 Foltz Parkway, Strongsville, Ohio 44149 (hereinafter "City") and **GREAT LAKES BASEBALL LEAGUE**, and located at 7575 Tyler Boulevard, Suite C-18, Mentor, Ohio 44060 (hereinafter called "GLBL" or "Tenant").

WITNESSETH:

WHEREAS, the Great Lakes Baseball League organizes baseball tournaments for boys in the State of Ohio; and

WHEREAS, GLBL again desires to occupy and use the City baseball fields to stage and conduct the "26th Annual Strongsville Memorial Day Weekend Tournament" baseball tournament from May 24, 2018 through May 28, 2018, on a limited and non-exclusive basis; and

WHEREAS, the City welcomes this effort to continue to provide the children and families of Strongsville a safe and rewarding youth baseball experience.

NOW, THEREFORE, the parties, in consideration of the above, and the following agreements, covenants and representations, agree that:

1. DESCRIPTION AND RENTAL OF PREMISES

The City hereby rents to Tenant for limited occupancy, and Tenant hereby rents from City, certain premises set forth and listed in Exhibit A, which is made a part hereof, situated in the City of Strongsville, County of Cuyahoga, and State of Ohio and commonly known as the "City of Strongsville Baseball Fields" (hereinafter the "Premises").

2. TERM

2.1 Term

The term of this Rental/Occupancy shall commence May 24, 2018 and end at midnight May 28, 2018.

2.2 Termination

Tenant hereby acknowledges that the City may, at any time, and without cause, terminate this Agreement upon fourteen (14) days written notice. The City will make every good faith effort to apprise Tenant of its intentions at the earliest possible date, but reserves the right to terminate this Agreement within its sole discretion.

3. RENT

3.1 Basic Rent

Tenant agrees to pay to the City as rental for the term of this Rental/Occupancy, an amount to be determined by the Director of Recreation, payable to the City of Strongsville, based on the following costs and fees:

- (a) Field Fee – One Hundred Thirty-Five Dollars (\$135.00) per baseball field, per day, for each baseball field used by Tenant during the term of Tenant's occupancy.
- (b) City Labor Fee – Thirty Dollars (\$30.00) per hour for each two (2) person City crew that is used to set-up and maintain the Premises during the term of Tenant's occupancy.
- (c) Portable Toilets – One Hundred Seventy-Five Dollars (\$175.00) each day for a total amount of Eight Hundred Seventy-Five Dollars (\$875.00) for the daily cleaning of all portable toilets.
- (d) Illumination of Baseball Fields – Twenty-Five Dollars (\$25.00) per baseball field, per day, for each baseball field, where the electric light system is used to illuminate each field.
- (e) Field Drying Agent – Fifteen Dollars (\$15.00) for each bag of drying agent used during the term of Tenant's occupancy.

3.2 The City shall send a bill to Tenant after the term of this Agreement has expired setting forth the total amount owed for said rental, based on the fees provided herein.

3.3 Method of Payment

The Rent payment shall be made payable to the City of Strongsville within fourteen (14) days of the date of billing, and shall be sent to the City of Strongsville, 18100 Royalton Road, Strongsville, Ohio 44136, Attention: Recreation Department, unless the City shall direct otherwise by notice to Tenant.

4. POSSESSION

Tenant may enter into possession and occupancy of the Premises on the commencement date of the Term.

5. CONDITION OF PREMISES, REPAIRS, ALTERATIONS AND MAINTENANCE

5.1 Condition of Premises at Commencement of Term

Tenant has examined the Premises, knows their condition and accepts the Premises in their present condition. Tenant acknowledges that the City has made no representations to Tenant as to the condition of the Premises prior to or at the execution of this Agreement, and has promised no repairs or alterations thereto.

5.2 Repairs and Maintenance

(a) The City shall have sole responsibility, but within its sole discretion, to repair and maintain the Premises, including but not limited to lining and reasonable maintenance of the baseball game field, plus all driveways, sidewalks, parking areas or other paved areas servicing the Premises. City shall also, at its sole expense, keep all walks, driveways, sidewalks, parking areas or other paved areas servicing the Premises free of excessive snow, ice, water, rubbish and dirt and other natural or artificial accumulations.

(b) City shall perform such repairs and maintenance thereon as may be reasonably necessary within its sole discretion to maintain such areas in a clean, safe, serviceable and sound condition, and to comply with the laws, ordinances and regulations of all authorities which have jurisdiction over the Premises.

5.3 Condition of Premises at Termination of Agreement

Upon the expiration or other termination of this Agreement, Tenant shall remove its goods and effects and those of all persons claiming under it from the Premises, and shall deliver and yield the Premises to the City in as good repair and condition as the Premises were at the commencement of the term of this Agreement, reasonable wear and tear excepted.

6. UTILITIES

The City shall pay all charges for the use of sewers, water, light, fuel or other utilities relating to the Premises, if any, except that Tenant shall be responsible to pay for the illumination of any baseball field, as set forth in Section 3.1(d) of this Agreement.

7. INSURANCE AND INDEMNIFICATION

7.1 Public Liability Insurance

Tenant shall obtain, at its expense, effective as of the commencement of its right to occupy the Premises, and will maintain so long as Tenant continues to occupy or rent any part of the Premises, complete comprehensive, general liability insurance, under which the City will be named as an additional insured, the policy or policies to be in such form and issued by such company or companies as are satisfactory to the City, in the sum of One Million Dollars (\$1,000,000.00) in the event of injury to one person or damage to property and Two Million Dollars (\$2,000,000.00) in the event of injuries to more than one person or damage to property arising out of each occurrence for which a claim for damages may result. Said policy or policies, or a copy or copies thereof, or a certificate or certificates thereof, will be deposited with the City together with evidence of payment of the premiums thereon, within thirty (30) days after their issuance.

7.2 Indemnification

Tenant will defend, indemnify, and hold harmless the City, its agents, employees and individual board and Council members from any and all claims, liabilities, demands, costs, expenses, damage or loss to persons (including loss of life) or property which may arise from the use of the Premises or from the conduct or management of or from anything done in or about the Premises by or on behalf of Tenant or any employee, agent, invitee, or licensee of Tenant, together with all costs, expenses and attorneys' fees incurred by the City in connection with any such claim, demand, or legal proceeding arising therefrom and brought against the City. The foregoing will also include, but not be limited to, any such damage or loss caused by Tenant itself or its officers, agents, representatives, guests or invitees.

8. USE

8.1 General

(a) Tenant shall occupy and use the Premises for recreational purposes only and for no other purpose, and in a careful, safe and proper manner, and shall not commit or suffer any waste therein. Tenant shall not occupy or use the Premises for any unlawful purpose, in violation of any lawful covenant or condition of record restricting the use of the Premises, or in any way that would increase or cause foreseeable harm or injury to others. In its occupation and use of the Premises, Tenant shall comply with all laws, ordinances, rules, regulations, requirements and orders of all governmental authorities having jurisdiction over the Premises.

(b) If any such authority notifies the City of a violation of any such law, ordinance or regulations, the City shall notify Tenant thereof, and Tenant shall have ten (10) days following such notice to correct such violations. Failure by Tenant so to act within such ten (10) day period shall constitute a default for the purpose of this Agreement.

(c) All excise taxes, license fees and charges for permits which may arise from the use or operation of the Premises or the conduct of any business thereon shall be payable by Tenant, and Tenant shall save the City harmless from all liability therefor.

8.2 Alterations and Improvements

(a) Tenant shall not be permitted under any circumstances to make alterations or improvements to the Premises.

(b) The City may make such alterations and additions affecting the Premises as it might desire, provided that the same shall not materially impair Tenant's use of the Premises consistent with this Agreement.

9. DEFAULT

9.1 Events Constituting Default

For the purpose of this Agreement, "default" shall mean any of the following events: (a) abandonment of the Premises by Tenant, or (b) failure by Tenant to pay any installment of rent or other money or obligations within ten (10) days after the City shall have given Tenant written notice that such rent or other obligation is past due, or (c) failure by Tenant to perform or observe any other covenant or agreement under this Agreement, which failure shall continue uncured for a period of thirty (30) days after delivery to Tenant of written notice thereof, or (d) Tenant's permitting the Premises to be vacant or unoccupied for more than thirty (30) consecutive days.

9.2 Effect of Default

In the event of default, the City may at its option (a) terminate this Agreement, or, without terminating this Agreement, terminate Tenant's right to possession of the Premises under this Agreement, (b) re-enter the Premises with or without process of law, using such force as may be necessary and remove all persons and chattels therefrom and the City shall not be liable for damages or otherwise by reason of such re-entry, (c) cure any default relating to the condition of the Premises and obtain reimbursement of expenses therefor from Tenant, or (d) employ any other remedy provided by law. The foregoing remedies may be exercised individually or cumulatively at the option of the City, and the exercise of any one shall not be deemed a waiver of the City's right to exercise one or more additional remedies. Except as provided in this Agreement, Tenant waives the necessity of demand for rent and any other demand or notice that may now or thereafter be required by any statute,

regulation or decision for the maintenance by City of any action in forcible entry and detainer. The commencement of such an action by the City shall for the purpose of this Agreement be equivalent to the City's exercise of its right to re-enter the Premises.

9.3 Waiver or Default

No waiver of any condition or covenant of this Agreement by the City or Tenant shall be construed as constituting a waiver of any subsequent breach of any such condition or covenant, or as justification or authorization for the breach or any other covenant or condition of this Agreement; nor shall the acceptance of rent by the City at a time when Tenant is in default under any covenant or condition of this Agreement be construed as a waiver of such default or any of the City's rights, including, but not limited to, the right to terminate this Agreement on account of such default or as an estoppel against the City, or be construed as an amendment to this Agreement or as a waiver by the City of any other right created herein or by law in favor of the City and against Tenant on account of such default.

10. MECHANICS' LIENS

The Tenant shall not permit any mechanics', laborers', materialmens' or other liens to stand against the Premises for any labor, machinery or materials furnished or claimed to have been furnished in connection with the work of any character performed or claimed to have been performed on, or pertaining to the Premises solely for Tenant or under Tenant's control, whether such work was performed or materials furnished prior to or subsequent to the commencement of the term of this Agreement. If any such lien shall be filed or shall attach, the Tenant shall promptly either pay the same or procure the discharge thereof by giving security or in such other manner as is required or permitted by law. If Tenant fails to do so within thirty (30) days after receiving written notice from the City, the City may procure the discharge of such lien, by payment or otherwise, and may recover all costs and expenses of so doing from Tenant. Moreover, Tenant shall defend, indemnify and hold harmless the City from and against all claims, demands and legal proceedings on account of such furnishing or claimed furnishing of labor, machinery, material and fuel, and shall directly pay or reimburse the City for all costs and expenses thereof, including, but not limited to, attorneys' fees (to the extent permitted by law), bond premiums and court costs.

11. QUIET ENJOYMENT

Upon Tenant's paying the rent, and performing and observing the agreements and conditions on its part to be performed and observed, Tenant shall and may peaceably and quietly have, hold, and enjoy the Premises during the term of this Rental/Occupancy Agreement on a non-exclusive basis and subject to the City's scheduling of its use, but otherwise without interference by the City or anyone claiming by, through or under the City. However, the City shall not be liable for any damage or interference with use occasioned by or from (a) any gas, water or other pipes bursting or leaking, or (b) water, snow or ice on the Premises.

12. RIGHT OF ENTRY

The City, its agents and employees shall have the right, at all reasonable times during the term of this Rental/Occupancy, to enter the Premises to view and inspect the

same and to perform any work therein which may be required or permitted of the City hereunder; provided, however, that the City, its agents and employees shall in exercising such right not unreasonably interfere with Tenant's use of the Premises. The City also shall have the right to use or arrange for use of the Premises by others when it is not in use by Tenant.

13. ASSIGNMENT, SUBLEASE AND CHANGE OF ORGANIZATION

13.1 Assignment and Sublease

Tenant shall not assign this Rental/Occupancy or any of its benefits or burdens under this Agreement, or sublet all or any part of the Premises, or permit all or any part of the Premises to be used or occupied by others unless Tenant first obtains the City's prior written consent, which the City may, in its discretion, withhold for any reason or none at all.

13.2 Change of Organization of Tenant

Tenant shall not terminate its existence, change its form of organization or permit the change of identity of its principal officers or the transfer of all, or substantially all of its assets without first having obtained the City's written consent. The City shall not unreasonably withhold such consent, and shall be deemed to consent to any change in officer status or otherwise resulting from the death or long-term disability of any officer or trustee of Tenant.

14. NOTICES

All notices to the City
shall be sent to:

The City of Strongsville
18100 Royalton Road
Strongsville, Ohio 44136
Attention: Bryan V. Bogre, Director
of Recreation & Senior Services
(With a copy to the Law Director)

All notices to the Tenant
shall be sent to:

Harry Oschip
7575 Tyler Boulevard, Suite C-18
Mentor, Ohio 44060

Either party may at any time change the address to which notice shall be sent by advising the other party in writing of such a change. Notice shall be deemed given if sent by certified mail, postage prepaid, return receipt requested, and any such notice shall be deemed given when mailed as provided in this Section.

15. PARTIES BOUND AND BENEFITED

This Agreement shall bind and benefit the parties hereto, their successors and permitted assigns. The words "City" and "Tenant" in this Agreement shall be construed to include the corporations and/or entities named herein as City and Tenant, respectively, and their respective successors and permitted assigns. This Section shall not be construed to abridge, modify or remove the prohibitions or restrictions on assignment, subleasing, permission to occupy or similar acts contained elsewhere in this Agreement.

16. RELATIONSHIP OF THE PARTIES

Nothing contained herein shall be deemed or construed by the parties hereto nor by any third party as creating the relationship of principal and agent or of partnership or of joint venture between the parties hereto, or any relationship between the parties hereto other than that of City and Tenant.

17. ONLY AGREEMENT

This instrument contains the entire and only agreement between the parties, and neither party has made any representations or warranties other than those contained herein. It shall not be modified in any way except by a writing signed by both parties and approved in accordance with law.

18. CAPTIONS

The captions utilized as headings for the various articles and sections of this Agreement are used only as a matter of convenience for reference, and are not to be considered a part of this Agreement nor to be used in determining the intent of the parties to this Agreement.

19. GOVERNING LAW

The validity and construction of this Agreement shall be governed by the law of the State of Ohio, where the Premises are located.

20. COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original.

IN WITNESS WHEREOF, the City and Tenant have caused this Rental/Occupancy Agreement to be executed by their duly authorized officers on the dates written below.

Witnesses:

CITY OF STRONGSVILLE

By: _____

Thomas P. Perciak

Its: Mayor

Date: _____

Approved for form:

By: _____

Law Director

GREAT LAKES BASEBALL LEAGUE

By: 
Harry Oschip

Its: TOURNAMENT DIRECTOR

Date: 5/1/2018

STATE OF OHIO)
) ss
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **CITY OF STRONGSVILLE**, by Thomas P. Perciak, its Mayor, who acknowledged that he did sign the foregoing instrument and that the same is his free and voluntary act and deed as Mayor, and the free and voluntary act and deed of said municipal corporation.

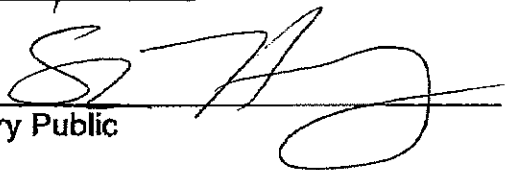
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Strongsville, Ohio, this _____ day of _____, 2018.

Notary Public

STATE OF OHIO)
) ss
COUNTY OF Lake)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **GREAT LAKES BASEBALL LEAGUE**, by **Harry Oschip**, its TOURNAMENT DIRECTOR who acknowledged that he did sign the foregoing instrument and that the same is his free and voluntary act and deed, and the free and voluntary act and deed of said organization.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Mentor, Ohio, this 1 day of May, 2018.


Notary Public



SHANA HINDLEY
Notary Public, State of Ohio
My Comm. Expires 2-24-2020
Recorded in Cuyahoga County

EXHIBIT A

City of Strongsville Baseball Fields

REC PARK #1 – 18100 Royalton Road

1. Cross Field
2. Finley Field
3. Rademaker Field

REC PARK #2 – 16109 Foltz Parkway

1. Foltz #1 Field
2. Foltz #2 Field

REC PARK #3 – 21273 Drake Road

1. Wood Field
2. Sprague Field

VOLUNTEER PARK – 21410 Lunn Road

1. Watts Field
2. Stroemple Field
3. Farnsworth Field
4. Capp Field
5. Roth Field
6. Kalinich Field

YOUTH SPORTS PARK – 21255 Lunn Road

1. Youth Park #1
2. Youth Park #2
3. Youth Park #3

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2018 – 071

By: Mayor Perciak and All Members of Council

A RESOLUTION ACCEPTING ANOTHER DONATION OF \$2,000.00 TO THE CITY OF STRONGSVILLE TO BE USED FOR THE WOODSHOP LOCATED AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER.

WHEREAS, the City of Strongsville Walter F. Ehrnfelt Recreation & Senior Center has developed and provides extensive programs to help seniors who are residents and non-residents maintain a healthy and enjoyable lifestyle; and

WHEREAS, the Senior Center provides volunteers who perform woodshop services, such as repairing small wood items, chairs, tables, etc., all for a minimal charge; and

WHEREAS, since 2017 to date, Strongsville resident, Edward L. Van Dusen, has donated \$4,000.00 to the City to be used for the Senior Center woodshop; and

WHEREAS, again, Mr. Van Dusen has decided to forward to the City another generous donation of \$2,000.00 to be used by the Senior Center woodshop; and

WHEREAS, the City is desirous of accepting such thoughtful donation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby graciously accepts the above donation from Edward L. Van Dusen, and along with Mayor Perciak, expresses the City's appreciation for Mr. Van Dusen continuing to generously donate such funds for use at the City's Walter F. Ehrnfelt Recreation & Senior Center woodshop.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2018 - 071

Page 2

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2018-071 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2018 – 072

By: Mayor Perciak and All Members of Council

A RESOLUTION ACCEPTING A DONATION OF \$1,000.00 FROM CARGILL SALT TO THE CITY OF STRONGSVILLE, TO BE USED FOR THE STRONGSVILLE COMMUNITY GARDEN.

WHEREAS, by and through Ordinance No. 2017-092, this Council authorized the City of Strongsville to enter into a Community Garden License Agreement with Southwest General Health Center (SWGHC) in order for the City to create, develop, construct and maintain a Community Garden on a portion of property owned by SWGHC in the City of Strongsville, for the benefit of the residents of the City; and

WHEREAS, the Strongsville Community Garden is a collaborative effort between the City and SWGHC, which gives residents the opportunity to grow fresh, organic produce for their families and the Food Bank while connecting with members of the community; and

WHEREAS, Cargill Salt is desirous of donating \$1,000.00 to the City for use by the Strongsville Community Garden; and

WHEREAS, the City is desirous of accepting such generous donation to be forwarded to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby graciously accepts from Cargill Salt, and expresses its appreciation, for the donation of \$1,000.00 to be used for the Strongsville Community Garden.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. That this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2018 - 072

Page 2

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2018-072 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____